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HOUSE JOURNAL

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF COLORADO.

FIFTH SESSION.

BEGUN AT GOLDEN CITY, JANUARY 1, 1866, AND ADJOURNED TO DENVER, JANUARY 2, 1866.

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HOUSE JOURNAL

OF THE

LEGISLATIVE ASSEMBLY OF COLORADO.

FIFTH SESSION.

MONDAY, JANUARY 1st, A. D. 1866.

Legislative Assembly of the Territory of Colorado.

The House of Representatives met at Golden City, the Seat of Government of said Territory, on Monday, the first day of January, A. D. 1866, pursuant to law.

House called to order by Mr. Fosher.

On motion of Mr. Riddlebarger, Mr. Henry was elected Speaker, *pro tem.*

On motion of Mr. Fosher, A. D. Cooper was elected Chief Clerk, *pro tem.*

On motion of Mr. Stearns, the following named gentlemen were appointed a committee on credentials, viz:

Messrs. Graham, Bergen and Fosher.

On motion of Mr. Bartells, House adjourned until 9 o'clock, to-morrow morning.

TUESDAY, JANUARY 2d, 1866.

House met pursuant to adjournment.

Roll called.

No quorum present.
On motion of Mr. Fosher,
Mr. Bartholomew was elected Sergeant-at-Arms, *pro tem.*
On motion of Mr. Bartells,
House adjourned until 11 o'clock, a m.

11 O'CLOCK, A. M.

House met pursuant to adjournment.
Roll called.
No quorum present.
On motion of Mr. Bartells,
House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.
Roll called.
Quorum present.
Committee on credentials made the following report:

To the Honorable Speaker of the House of Representatives, Territory of Colorado:

Your committee on credentials beg leave to report the following named members present entitled to seats in the House of Representatives of Colorado, now convened, viz:

Gabriel Martine, of the 11th district.
D. J. Ball, of the 7th district.
Perley Dodge, of the 5th district.
S. M. Breath, of the 3d district.
E. Norris Stearns, of the 9th district.
John Fosher, of the 8th district.
David Gregory, Louis F. Bartells, and H. J. Graham, of the 2nd district.
John W. Henry, of the 14th district.
T. C. Bergen, of the 4th district.
Thomas Keys, of the 10th district.
Matt Riddlebarger, of the 12th district.
J. G. Ehrhart, of the 10th district.
B. R. Colvin, of the 7th district.
All of which is respectfully submitted.

H. J. GRAHAM,
T. C. BERGEN,
JOHN FOSHER.

On motion of Mr. Gregory,
The report of the committee was received and adopted.

Mr. Fosher offered the following resolution:

Resolved, That C. C. Carpenter, County Clerk of Jefferson County, be invited to administer the oath of office to the members present and entitled to their seats.

Mr. Carpenter appeared within the bar of the House, and administered the oath of office to the members present.

Moved by Mr. Bartells, that the House do now proceed to a permanent organization.

Carried.

Mr. Fosher offered the following resolution.

Resolved, That the House do now proceed to ballot for Speaker, and continue to ballot until a Speaker is elected.

Carried.

E. N. Stearns was nominated by Mr. Colvin.

John Fosher was nominated by Mr. Graham.

Mr. Graham was nominated by Mr. Fosher.

Mr. J. W. Henry was nominated by Mr. Riddlebarger.

The Speaker appointed Messrs. Graham and Bergen to act as tellers.

First informal ballot resulted as follows:

John Fosher received two votes.

E. N. Stearns received seven votes.

H. J. Graham received three votes.

J. W. Henry received three votes.

Whole number of votes cast, fifteen.

On motion of Mr. Graham,

The House proceeded to a formal ballot for Speaker, which resulted as follows:

J. Fosher received one vote.

H. J. Graham received three votes.

E. N. Stearns received seven votes.

J. W. Henry received four votes.

Whole number of votes cast, fifteen.

Necessary to a choice, eight. No choice.

Second ballot.

Stearns seven votes. Graham four votes. Henry four votes. No choice.

Third ballot.

Stearns ten votes. Henry three votes. Graham two votes.

E. N. Stearns having received a majority of all the votes cast, was declared duly elected permanent Speaker of this House.

Mr. Gregory moved that a committee of two be appointed to conduct the Speaker to the chair.

Messrs. Graham and Fosher were appointed such committee.

On motion of Mr. Fosher, Mr. C. C. Carpenter administered the oath of office to the Speaker elect.

A verbal communication was received by a committee from the Council, that that body had effected a permanent organization and was ready to receive any communication from the House.

On motion of Mr. Fosher,

The House proceeded to ballot for Chief Clerk.

Mr. Breath nominated C. J. McDevitt.

On motion of Mr. Fosher, C. J. Mc Devitt was elected by acclamation.

Mr. McDevitt came forward and took the required oath.

On motion,

The House proceeded to a formal ballot for Assistant Clerk.

Messrs. J. T. Boyd, R. W. Renolds, and Carlos Lake were put in nomination.

First ballot.

J. T. Boyd received six votes, Lake six votes, R. W. Renolds three.

Whole number of votes cast, fifteen.

Necessary to a choice, eight. No choice.

Second ballot.

J. T. Boyd received ten votes, Lake four votes, Renolds one.

J. T. Boyd having received a majority of all the votes cast,

Was declared duly elected Assistant Clerk.

On motion of Mr. Henry, the House proceeded to elect an Enrolling Clerk.

A. D. Cooper and T. Sloan were put in nomination.

First ballot.

A. D. Cooper received eleven votes.

T. Sloan received four votes.

Whole number votes cast, fifteen.

Necessary to a choice, eight.

Mr. Cooper having received a majority of all votes cast, was declared duly elected.

On motion of Mr. Fosher,

The House proceeded to elect an Engrossing Clerk.

Messrs. Sloan and Hopkins were put in nomination.

First ballot.

Hopkins received eleven votes.

Sloan received four votes.

Necessary to a choice, eight.

Mr. Hopkins having received a majority of all the votes cast, was declared duly elected.

On motion of Mr. Riddlebarger, the House proceeded to elect a Sergeant-at-Arms.

Mr. Bartholomew and Scott were put in nomination.

First ballot.

Bartholomew received ten votes.

Scott received five votes.

Whole number of votes cast, fifteen.

Necessary to a choice, eight.

Bartholomew having received a majority of all the votes cast, was declared duly elected.

On motion of Mr. Henry,

The House proceeded to elect a Fireman.

Jaun Jacques, M. Smith and C. Judkins were put in nomination.

First ballot.

Jacques received twelve votes, Judkins two votes, Smith one vote.

Jacques having received a majority of all votes cast, was declared duly elected.

On motion of Mr. Henry,

The House proceeded to elect two Pages.

Masters Lake, Leroy and Smith were put in nomination.

Mr. Fosher moved the two that received the highest number of votes should be declared elected.

First ballot.

Master Leroy received eleven votes, Lake ten, Smith five.

Masters Lake and Leroy having received the highest number of votes cast, were declared duly elected.

On motion of Mr. Henry,

The Assistant Enrolling and Engrossing Clerks, Sergeant-at-Arms, and Fireman came forward and took their several oaths of office.

The Secretary of the Council appeared with the following message:

COUNCIL CHAMBERS, January 1, 1866.

Mr. Speaker: I am instructed by the Council to inform you that the following Joint Resolution has been adopted, and ask your concurrence:

Resolved, The House concurring, that when the Legislative Assembly adjourn, it adjourn to meet at Denver City, on Thursday, at 11 o'clock, a. m., January 4, 1866.

Very Respectfully,

G. H. STILWELL,

Secretary of the Council.

Mr. Fosher offered the following resolution:

Resolved, That there be a committee of three appointed to inform the Council that this House is fully organized and ready to proceed to business.

Adopted, and

Speaker appointed Messrs. Dodge, Henry and Ehrhart as such committee.

On motion of Mr. Colvin,

The House proceeded to elect a Chaplain.

And Mr. Colvin nominated Rev. O. A. Willard.

On motion, he was elected by acclamation.

Mr. Henry moved that the House do now proceed to elect an interpreter for the Mexican members, and nominated L. F. Bartells.

Motion withdrawn.

Mr. Colvin moved that the representatives and members of the press be admitted to seats within the bar of this House.

Carried.

Moved by Mr. Colvin,

That we now adjourn until to-morrow, at 9 o'clock, a. m.

Lost.

The committee appointed to notify the Council of the organization of this House, reported that they had discharged the duties imposed on them.

On motion of Mr. Fosher,

The report was adopted, and the committee discharged.

Mr. Bartells moved that this House concur in Council Joint Resolution No. 1, in relation to adjourning to Denver.

Mr. Colvin moved to amend by striking out Denver City, and inserting Central City.

Ayes and nays called for on the amendment.

Those voting aye, were Messrs. Henry, Bergen, Riddlebarger, Dodge, Colvin and Ball—6.

Those voting nay, were Messrs. Graham, Bartells, Gregory, Fosher, Keys, Martine, Breath, Ehrhart, and the Speaker—9.

So the amendment was lost.

Mr. Riddlebarger moved to amend by striking out Denver City and inserting Pueblo.

Lost.

Mr. Henry moved to lay the Resolution on the table, and called for the ayes and nays.

They were: Ayes, Messrs. Bergen, Riddlebarger, Dodge, Colvin, Ball and Henry—6.

Nays, Messrs. Graham, Bartells, Gregory, Fosher, Keys, Martine, Breath, Ehrhart, and the Speaker—9.

Lost.

Mr. Riddlebarger moved,

That we adjourn until to-morrow at 10 o'clock, a. m.,

And called for the ayes and nays.

Ayes, Messrs. Henry, Bergen, Riddlebarger, Dodge and Colvin—5.

Nays, Messrs. Graham, Bartells, Gregory, Fosher, Keys, Martine, Breath, Ehrhart, Ball, and the Speaker—10.

Lost.

Mr. Bartells moved,

That the House do now concur in Joint Resolution No. 1 of Council,

And called for the ayes and nays.

Ayes, Messrs. Graham, Bartells, Gregory, Fosher, Keys, Martine, Breath, Ehrhart, and the Speaker—9.

Nays, Messrs. Henry, Bergen, Riddlebarger, Dodge, Colvin and Ball—6.

Carried.

The Speaker appointed Messrs. Bartells, Ehrhart and Bergen to wait on the Council, and inform them that the House had concurred in Joint Resolution No. 1, in relation to adjourning to Denver City.

Mr. Riddlebarger moved,

That the House do now take a recess until to-morrow, at 10 o'clock, a. m.

Amended to read 9 o'clock, a. m., and ayes and nays called for.

Ayes, Messrs. Henry, Bergen, Graham, Fosher, Riddlebarger, Breath, Dodge, Colvin, Ball, and the Speaker—10.

Nays, Messrs. Bartells, Gregory, Keys, Martine, Ehrhart—5.

Carried.

WEDNESDAY, JANUARY 3d, 1866.

The time of recess having expired, the House was called to order by the Speaker, and

Roll called.

Absent, Messrs. Bartells and Gregory.

Mr. Henry moved that the Sergeant-at-Arms be sent after absent members.

Carried.

Sergeant-at-Arms returns and reports Messrs. Bartells and Gregory could not be found.

Mr. Henry moved that the House do take a recess uutil 2 o'clock, p. m.

Carried.

2 O'CLOCK, P. M.

The time of recess having expired, the House was called to order by the Speaker.

Roll called.

Absent, Mr. Gregory.

Quorum present.

Committee appointed to wait on His Excellency, the Governor made the following report:

Mr. Speaker: Your joint committee appointed to inform the Governor of the organization of the House and Council, and of their readiness to receive any communication he might have to make, performed the duty assigned to them.

J. G. EHRHART, *Chairman.*

Mr. Breath moved,

That the report be received and committee discharged.

Carried.

Mr. Henry moved,

That a special committee of three be appointed by the Speaker to report rules for the government of the House.

Carried.

Speaker appointed Messrs. Henry, Keys and Dodge, as said committee.

Mr. Fosher offered the following resolution:

Resolved, That this House adopt Jefferson's Manual of Parliamentary usage, for its government, until such time as proper rules can be reported by the committee.

Mr. Bartells moved that the House do now adjourn, and called for the ayes and nays.

Ayes, Messrs. Bartells, Breath, Ehrhart, Fosher, Graham, Keys, Martine, and the Speaker—8.

Nays, Messrs. Bergen, Ball, Colvin, Dodge, Henry and Riddlebarger—6.

Carried.

THURSDAY, JANUARY 4th, 1866.

House met at 11 o'clock, a. m., pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent, Messrs. Ehrhart, Fosher, Gregory, Graham, Keys, Martine and Riddlebarger.

No quorum present.
On motion of Mr. Henry,
House adjourned until 11 o'clock, to-morrow.

FRIDAY, JANUARY 5th, 1866.

11 o'clock, a. m.
House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent, Mr. Dodge.
Quorum present.
Journal read and approved.
Mr. Dodge appeared and took his seat.
Sergeant-at-Arms announced a message from the Council.

COUNCIL CHAMBER, January 5, 1866.

To the Honorable Speaker of the House of Representatives:

I am instructed by the Council to inform your Honorable Body that a committee of one has been appointed by the Council, to act in concert with a committee of the House, to inform His Excellency, the Governor, that the Legislature is ready to go into joint convention and receive any communication he may have to offer.

Very Respectfully,
CHARLES E. COX, *Secretary.*

Committee on credentials submitted the following report:

Mr. Speaker: Your committee on credentials ask leave to report as follows: That J. F. Gardner, of the second representative district, and Frank Hall, of the sixth representative district, are present, and entitled to seats in this House.

Respectfully submitted,
H. J. GRAHAM, *Chairman.*

On motion of Mr. Ball, the report was received.

Whereupon, Messrs. Gardner and Hall appeared, and the oath of office was administered them by B. B. Stiles, clerk of District Court.

Mr. Henry offered the following resolution:

Resolved, That the Secretary of the Territory of Colorado be instructed to procure an interpreter in Spanish, for the House.

On motion, adopted.

Mr. Fosher offered the following resolution:

Resolved, That there be a committee of two appointed, on the part of the House, to act in conjunction with a similar committee on the part of the Council, to wait on His Excellency, the Governor, and ascertain at what hour it may please His Excellency to communicate his message to this Legislative Assembly

Adopted, and

Speaker appointed Messrs. Fosher and Ball as such committee.

Committee appointed to wait on the Governor made the following report:

Mr. Speaker: Your special committee appointed to wait on His Excellency, the Governor, have preformed their duty, and ask leave to report as follows:

That His Excellency will communicate his message at 2 o'clock, this p. m., in joint convention.

Respectfully submitted. JOHN FOSHER.
D. J. BALL.

On motion, the report was received, adopted, and committee discharged.

Committee on credentials submitted the following report:

Mr. Speaker: Your committee on credentials ask leave to report that B. F. Johnson is present from the first representative district, and entitled to a seat in this House.

Respectfully submitted. H. J. GRAHAM,
JOHN FOSHER,
T. C. BERGEN.

On motion, report adopted.

On motion of Mr. Henry,

Mr. Johnson appeared within the bar of the House, and took the required oath.

Mr. Gergory offered the following resolution:

Resolved, That this House go into joint convention with the Council, at 2 o'clock, this p. m., to hear the message of the Governor.

On motion, adopted.

On motion of Mr. Ball,

House adjourned until 2 o'clock, this p. m.

AFTERNOON SESSION.

House met at 2 o'clock, p. m., pursuant to adjournment.
Roll called.
No absentees. Quorum present.
Sergeant-at-Arms announced the presence of the Council.
They were admitted to seats upon the floor of the House.
The two Houses then went into joint convention.
The Hon. Henry C. Leach, President of the Council, in the chair.

The committee appointed to wait upon the Governor and escort him to the House, retired, and soon thereafter returned to the Hall with His Excellency, Alexander Cummings, Governor of the Territory of Colorado, who was conducted to the Speaker's chair, and delivered to the Joint Assembly his message.

After hearing which, Mr. Hinsdale moved,
That this Joint Convention do now dissolve.
Carried.
Speaker called House to order.
Mr. Fosher moved,

That the chair appoint a committee of three to confer with a like committee on the part of the Council, and ascertain what number of copies of the Governor's message are required to be printed and published for the use of the two Houses respectively.

Carried.
Speaker appointed Messrs. Fosher, Riddlebarger and Henry as such committee.

Sergeant-at-Arms announced a message from the Secretary of the Territory, which was received and read, as follows:

OFFICE OF THE SECRETARY OF THE TERRITORY,
Denver, January 5th, 1866.

To the Honorable Speaker of the House of Representatives:

SIR: In reply to your resolution of this date, asking me to employ an interpreter for the Mexican members of the House of Representatives, I would most respectfully submit the following extract from a letter of instructions from the Treasury Department, on file in my office:

TREASURY DEPARTMENT, COMPTROLLER'S OFFICE,
December 15th, 1862.

Hon. Sam. H. Elbert, Secretary Colorado Territory, Denver:

SIR: Some time since, you desired information on the following points:

Question. Am I authorized to employ one or more interpreters to interpret for Mexican members of the Legislature?

Answer. No. This Department cannot authorize that.

Very Respectfully,

WM. H. JONES,

Acting Comptroller.

Under these instructions I would not be authorized to employ an interpreter, except at the Territorial expense.

Very Respectfully,

Your Obedient Servant,

SAM. H. ELBERT,

Secretary Col. Ter.

On motion of Mr. Ball,

The communication from the Secretary was placed on file as part of the records of this House.

The committee on Rules were requested to report, by the Speaker.

Chairman of said committee stated that their labors were not completed, and requested further time.

Granted.

Sergeant-at-Arms announced a communication from the Secretary of the Territory, which was received and read, as follows:

OFFICE OF SECRETARY OF COLORADO TERRITORY,
Denver, January 5th, 1866.

To the Honorable Speaker of the House of Representatives:

SIR: I beg leave to call your attention to the following extract from instructions sent me by Treasury Department:

"This Department claims and exercises the right, under existing laws, to regulate the price and quantity of Territorial printing. The limits of the annual appropriations, aside from any other consideration, would not admit of any indefinite action in this respect, by the General Assembly.

You will therefore suggest to the presiding officer of each House, that memorials, petitions and documents, having no necessary connection with the duties of legislation, or the dissemination of useful information among the people, will be excluded, and not printed at the expense of the United States."

The proprietors of the *Rocky Mountain News* have been employed by me to do the incidental printing of this session, and will do such printing as your committee on printing (with proper regard to the above instructions,) may order.

I am also authorized by the Department, to furnish each member of the Legislature with one newspaper, during the ses-

sion. The members will oblige me by giving their names to the Clerk, with the name of the paper published in our Territory, which they desire.

I am also instructed by the Department to pay the postage of the members during the session. Letters and papers which they desire to mail, they will please frank and place in the hands of the Sergeant-at-Arms.

Very Respectfully, Your Obedient Servant,

SAM. H. ELBERT,

Secretary Col. Ter.

On motion, the communication was placed on file, as part of the records of the House.

Mr. Henry offered the following resolution:

Resolved, By the House of Representatives, that the presiding officer of this body is hereby requested to report to His Excellency, the Governor, the names of all duly elected members to this branch of the present Assembly, as proclaimed by him under date of December 11, A. D. 1865, who have, through absence from the Territory, or otherwise, failed to take their seats; and that the seats of all such absentees be and the same are hereby declared vacant, except the member from Fremont county, and the members from Costilla county; and that it is the voice of this body, that the Governor proceed, as soon as practicable, to call a special election to fill such offices.

Mr. Fosher moved that the House lay the resolution on the table.

Carried.

Special committee appointed to confer with like committee on the part of the Council, relative to printing Governor's message, submitted the following report:

Mr. Speaker: Your special committee, appointed to confer with a similar committee on the part of the Council, with reference to the Governor's message, have discharged that duty, and would report as follows:

That your committee deem it advisable that there be published four thousand copies of the message in the English language, and one thousand in the Spanish language, for the use of the two bodies.

JOHN FOSHER, *Chairman.*

On motion, the report was received and adopted, and committee discharged.

Mr Colvin here requested permission to introduce a bill, entitled

An act to amend "An act to incorporate the Denver and Pacific Wagon Road Company." Approved March 10, 1864.

On motion of Mr. Fosher,

Permission was granted, and bill read.

Mr. Riddlebarger introduced the following resolution:

Resolved, That the Secretary of the Territory be authorized to employ an interpreter for the Spanish members of this House, at the expense of the Territory.

On motion, adopted.

Mr. Ball moved,

That the House do now adjourn until 9 o'clock, a. m. to-morrow.

Mr. Riddlebarger moved to amend by saying Monday, the 8th January, 1866.

Motion and amendment both withdrawn.

The committee on Rules submitted the following report:

Mr. Speaker: Your committee, appointed to report Rules for the government of this House, ask leave to report the following, and recommend the adoption of the same:

RULES OF THE HOUSE OF REPRESENTATIVES.

1. The Speaker shall take the chair, at the time to which the House stands adjourned, and the House shall then be called to order, and the roll of the members called.

2. Upon the appearance of a quorum, the journal of the preceding day shall be read by the Clerk, and any mistake therein may be corrected by the House.

3. The Speaker shall vote on all questions taken by yeas and nays, (except on appeals from his own decisions,) and on all elections, or divisions called for by any member.

4. Every member, previous to speaking, shall rise from his chair, and respectfully address himself to the Speaker.

5. No member shall speak more than twice on the same question, without leave of the House, nor more than once until every member who chooses to speak, shall have spoken, except chairmen of committees, upon matters reported by them.

6. No motion shall be debated or put, unless the same be seconded; it shall be stated by the Speaker, before debate, and any such motion shall be reduced to writing, if the Speaker or any member desire it.

7. After a motion shall be stated by the Speaker, it shall be deemed to be in possession of the House, but may be with

drawn at any time before amended, or decision; but all motions, resolutions or amendments, shall be entered on the journal, whether withdrawn, rejected or adopted.

8. When a question is under debate, no motion shall be received, but to adjourn; to lay on the table; to postpone indefinitely; to postpone to a certain day; to correct or to amend; which several motions shall have precedence in the order in which they stand arranged; and a call of the House may be had upon a demand of three members.

9. A motion to adjourn shall always be in order, except when a member is addressing the chair, or a vote is being taken. That, and the motion to lay on the table, shall be decided without debate.

10. The moving of the previous question shall not be allowed in this House, except by demand of three members.

11. The Clerk of the House shall make a list of all bills which have been reported upon by the Committee of the Whole, or any other Committee, in the order in which they are reported back, except that bills of a public character shall always be placed above private bills, and such bills shall be taken up and considered by the House in the order in which they stand.

12. Every member who shall be present before the vote is declared from the chair, and no other, shall vote for or against the same, unless the House shall excuse him, or he be interested in the question, in which case he shall not vote.

13. When the Speaker is putting the question, no member shall walk out of, or across the House, nor, when a member is speaking, shall any person entertain any private discourse, or pass between him and the chair; and no smoking shall be allowed in the House.

14. If the question in debate contain several points, any member may have the same divided.

15. A member called to order, shall immediately sit down, unless permitted to explain; and the House, if appealed to, shall decide the case; if there be no appeal, the decision of the chair shall be submitted to.

16. Every bill and resolution, shall have prefixed thereto, the name of the person introducing it; and when ordered by a committee, the name of said committee shall be endorsed thereon.

17. Every bill shall receive three several readings previous to its being passed, but the first and second readings shall be by their titles only, unless some member of the House demand the reading at full length, in which case it shall be read, and the second and third readings shall be on different days; and the third reading shall be on a day subsequent to that in which it has passed a Committee of the Whole House, unless the House,

by the vote of two-thirds of the members present, shall direct otherwise.

18. No bill shall be committed or amended, unless it has been twice read. On the final passage of all bills, the vote shall be by ayes and nays, and entered on the journal.

19. In forming a Committee of the Whole House, the Speaker shall appoint a Chairman to preside.

20. Bills committed to a Committee of the Whole House, shall be read by the Clerk and debated by clauses, leaving the preamble to be last considered. All amendments shall be entered upon a separate piece of paper, and so reported to the House by the Chairman.

21. All questions, whether in Committee or the House, shall be put in the order they are moved, except in the case of privileged questions; and in filling up blanks, the largest sum and the longest time shall be first put.

22. A similar mode of proceeding shall be observed with bills which have originated in the Council, as with bills originating in the House.

23. No motion for reconsideration shall be in order, unless on the same day, or the day following that on which the decision proposed to be considered, took place, nor unless one of the majority shall move such reconsideration. A motion for reconsideration being put and lost (except in case of privileged motions,) shall not be renewed.

24. When notice of the intention to move the reconsideration of any bill, or joint resolution, shall be given by a member, the Clerk shall retain the said bill, or joint resolution, until after the time during which the said motion can be made, unless the same shall previously be disposed of.

25. The Rules of the House shall be observed in Committee of the Whole House, as far as may be applicable, except that the ayes and nays shall not be called, nor the previous question enforced.

26. A motion that the Committee rise, shall always be in order, and shall be decided without debate.

27. The following standing committees shall be appointed by the Speaker, to consist of five members each:

A committee of Agriculture and Manufactures.
A committee of Territorial Affairs.
A committee of Education.
A committee of Federal Relations.
A committee of Printing.
A committee of Rules and Joint Rules.
A committee of Military Affairs.
A committee of Roads and Bridges.
A committee of Indian Affairs.

A committee of Ways and Means.
A committee of Judiciary.
A committee of Elections and Apportionment.
A committee of Counties and County Lines.
A committee of Incorporations.
A committee of Mines and Minerals.

The following standing committees to consist of three members each:

A committee of Engrossment.
A committee of Enrollment.

28. The committee on Engrossment shall examine all bills, after they are engrossed, and report the same to the House correctly engrossed, before their third reading, and said committee may report at any time.

29. Select committees, to whom reference shall be made, shall, in all cases, report a state of facts, and their opinion thereon, to the House.

30. In all cases where a bill, order, resolution or motion shall be entered on the journals of the House, the name of the member moving the same shall be entered on the journals.

31. The Speaker shall cause the Clerk to make a list of all bills, resolutions, reports of committees, and other proceedings of the House, which are committed to a committee of the Whole House, and which are not made the order of the day for any particular day, and to number the same; which list shall be called "The general orders of the day," and they shall be taken up in the order in which they are numbered, unless otherwise ordered by a majority of the House; and the Clerk shall also keep a book, showing the situation and progress of all bills.

32. Every message from the Council, communicating any bill for the concurrence of the House, shall, after the second reading of the bill, be referred to such select or standing committee as shall be assigned by the House, with the accompanying documents, if any, to consider and report thereon, unless otherwise ordered by the House.

33. On the meeting of the House, the order of the day shall be as follows:

1st. Prayer by the chaplain, if present.
2nd. Call of the roll.
3d. Reading of the journal of the previous day.
4th. Presentation of petitions.
5th. Report of the standing committees.
6th. Report of select committees.
7th. Messages from the Governor.
8th. Amendments proposed by the Council to bills from the House of Representatives.
9th. Motions, resolutions and notices.

10th. Second reading of bills and resolutions from the Council.
11th. Introduction and first reading of bills.
12th. Second reading of House bills and resolutions.
13th. Consideration of bills reported upon by committees.
14th. Third reading of Council bills and resolutions.
15th. Third reading of House bills and resolutions.
16th. Unfinished business of the preceding day.
17th. Special Orders of the day.
18th. General Orders of the day.

Any other business not prohibited by the Rules of the House.

34. When the House have arrived at the General Orders of the day, they shall go into Committee of the Whole, upon such orders, or a particular order designated by a vote of this House; and no business shall be in order until the whole are considered or passed, or the Committee rise; and unless a particular bill is ordered up, the Committee of the Whole shall consider, act upon, or pass the General Orders, according to the order of their reference.

35. The Speaker may leave the chair, and appoint a member to preside, but not for a longer time than one day, except by leave of the House.

36. The rules of parliamentary practice, embraced in Jefferson's Manual, shall govern the House, in all cases in which they are not inconsistent with the standing rules of the House, and the joint rules of the Legislative Council and House of Representatives.

37. No rule of the House shall be suspended, altered or amended, without the concurrence of two-thirds of the members present.

38. The regular hour of the daily meeting of the House shall be nine o'clock in the morning, unless some other hour be designated by the House, at the time of adjournment.

39. The ayes and nays shall be ordered, when demanded by any member, except upon the final passage of bills, in which case the ayes and nays shall be had without any demand.

40. That whenever a call of the House is ordered, the absentees be fined two dollars each, unless excused by the House, which shall be paid to the Sergeant-at-Arms.

41. That any bills after having been read a second time, be placed on file for consideration in the Committee of the Whole, unless especially ordered by the House.

JOINT RULES

OF THE COUNCIL AND HOUSE OF REPRESENTATIVES.

Fifth Session of the Legislature of Colorado Territory.

Rule 1. When a message shall be sent from the Council to the House of Representatives, it shall be announced at the door of the House by the Sergeant-at-Arms, and shall be respectfully communicated to the chair by the person by whom it may be sent.

Rule 2. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Council.

Rule 3. Messages shall be transmitted from one House to the other while both Houses are in session.

Rule 4. After a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the House of Representatives, or of the Council, as the bill may have originated in the one or the other House, before it shall be presented to the Governor of the Territory for his approval.

Rule 5. When the bills are enrolled, they shall be examined by a joint committee of two from the Council, and two from the House of Representatives, appointed as a Standing Committee for that purpose, who shall carefully compare the enrollment with the engrossed bills, as passed in the two Houses, and correcting any error that may be discovered in the enrolled bills, make their report forthwith to their respective Houses.

Rule 6. After examination and report, each bill shall be signed in their respective Houses, first, by the Speaker of the House of Representatives, then by the President of the Council.

Rule 7. After a bill shall have been thus signed in each House, it shall be presented by the said committee to the Governor for his approbation, (it being first endorsed on the back of the roll, certifying in which House the same originated; which endorsement shall be signed by the Chief Clerk of the House in which the same did originate,) and shall be entered on the journal of each House. The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the journal of each House.

Rule 8. All orders, resolutions and votes, which are to be presented to the Governor of the Territory for his approbation, shall also, in the same manner be enrolled, examined and signed, and shall be presented in the same manner, and by the same committee as provided in the cases of bills.

Rule 9. Each House shall transmit, in case they are demanded, all papers on which any bill or resolution shall be founded.

Rule 10. The President of the Council shall preside at all Conventions of the Houses.

Rule 11. Any three members may move a call of the Convention.

Rule 12. In all cases, the President shall have the right of voting, and in all cases he shall vote last.

Rule 13. When a bill or resolution, which shall have passed one House, shall be rejected in the other, notice thereof shall be given to the House in which the same may have passed.

Mr. Ball moved that the report be received, and committee discharged.

Carried.

Mr. Hall moved that a committee of two be appointed to confer with a like committee of the Council, on Joint Rules.

Carried.

Speaker appointed Messrs. Hall and Colvin as such committee.

Mr. Henry offered the following resolution:

Resolved, That the Secretary of the Territory be instructed to have five hundred copies of the Rules of the House printed for the use of the House.

Mr. Colvin moved to amend by saying one (1) hundred instead of five (5) hundred copies.

Mr. Fosher moved to amend by saying fifty copies instead of one hundred.

Amendment to the amendment, lost.

Question as amended by Mr. Colvin was then put and carried.

Mr. Gregory asked leave of absence until Monday, Jan. 8th.

Leave granted by the House.

Mr. Ball moved to adjourn till 9 a. m., to-morrow.

Mr. Henry moved to amend by saying 10 o'clock, a. m.

Amendment accepted, and

House adjourned until 10 o'clock, a. m.

SATURDAY, JANUARY 6th, 1866.

House met at 10 o'clock, a. m., pursuant to adjournment.

The Speaker in the chair.

Roll called.

Absent,—Messers. Bergen, Ball, Hall and Riddlebarger.

No quorum present.

Sergeant-at-Arms was dispatched after absent members.

Mr. Riddlebarger appeared and took seat. And

Quorum announced.

Communication read from Rev. O. A. Willard, Chaplain elect, stating that he could not attend the session of House until Tuesday next.

On motion of Mr. Ball,

It was received and placed on file as part of the Records of the House.

Journal of previous day read, corrected and approved.

Mr. Ball appeared and took his seat.

On motion of Mr. Breath,

Leave of absence was granted Mr. Bergen until Wednesday, January 10th, 1866.

Mr. Camilla Ducheneau having been employed as interpreter for the House, came forward and took the required oath of office, which was administered to him by the Speaker.

The Speaker then announced the following Standing Committees:

STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES.

Agriculture and Manufactures.—H. J. Graham, T. C. Bergen, B. F. Johnson, J. A. Gardner and J. G. Martine.

Territorial Affairs.—J. Fosher, B. F. Johnson, D. J. Ball. Thomas Keys and J. G. Martine.

Education.—Thomas Keys, D. J. Ball, H. J. Graham, B. R. Colvin and J. F. Gardner.

Federal Relations.—Frank Hall, D. J. Ball, P. Dodge, Thomas Keys and J. W. Henry.

Printing.—Frank Hall, P. Dodge, B. F. Johnson, M. Riddlebarger and H. J. Graham.

Rules and Joint Rules.—P. Dodge, J. G. Ehrhart, J. Fosher, J. W. Henry and H. J. Graham.

Military Affairs.—J. F. Gardner, L. F. Bartells, B. R. Colvin, J. W. Henry and M. Riddlebarger.

Roads and Bridges.—H. J. Graham, T. C. Bergen, S. M. Breath, J. G. Ehrhart and M. Riddlebarger.

Indian Affairs.—S. M. Breath, J. W. Henry, D. Gregory, J. Fosher and B. F. Johnson.

Ways and Means.—Frank Hall, S. M. Breath, D. J. Ball, L. F. Bartells and P. Dodge.

Judiciary.—J. W. Henry, B. R. Colvin, J. Fosher, Thomas Keys and S. M. Breath.

Elections and Apportionment.—L. F. Bartells, Frank Hall, B. F. Johnson, J. G. Martine and M. Riddlebarger.

Counties and County Lines.—D. J. Ball, J. F. Gardner, B. R. Colvin, J. W. Henry and H. J. Graham.

Incorporations.—M. Riddlebarger, H. J. Graham, D. J. Ball, T. C. Bergen and L. F. Bartells.

Mines and Minerals.—B. R. Colvin, S. M. Breath, D. J. Ball, J. Fosher and Thomas Keys.

Engrossment.—Thomas Keys, H. Dodge and J. W. Henry.

Enrollment.—D. J. Ball, Frank Hall and B. R. Colvin.

Mr. Graham asked leave to present a bill entitled "An act to amend an act to incorporate the Denver and San Luis Valley Wagon Road Company.

Leave granted. And bill read by its title.

Mr. Fosher rose to a point of order.

Mr. Bartells moved that all bills introduced be read at length on first reading.

Carried.

Mr. Graham moved that House reconsider the motion of Mr. Bartells.

Carried.

Mr. Henry introduced the following resolution:

Resolved, That Rule 17, of the Standing Rules of this House be so amended as to read that every bill and resolution shall be read the first and second time by their titles only.

Mr Riddlebarger moved to amend by saying "Except the reading be called for at full length, by some member of the House.

Amendment accepted, and resolution passed as amended.

By permission of the House,

Mr. Henry introduced House Bill, No. (3) three, entitled "An act granting exclusive right to William Craig, to erect and maintain a toll bridge across the Arkansas River.

Mr. Fosher gave notice that at some future day he would introduce a bill for a joint memorial to Congress, concerning a Mining Bureau.

On Motion of Mr. Graham,

House adjourned to meet on Monday at 9 o'clock. a. m., January 8th, 1866.

MONDAY, JANUARY 8th, 1866.

House met at 9 o'clock, a. m., pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent,—Messrs. Bergen, Bartells, Ball, Colvin, Ehrhart, Gregory, Henry, Hall, Johnson, Martine and Riddlebarger.

No quorum present.

Mr. Breath moved the House adjourn until 2 o'clock, p. m.

Carried.

AFTERNOON SESSION.

House met at 2 o'clock, p. m., pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent,—Messrs. Bergen, Bartells, Ball, Gregory and Riddlebarger.

No quorum present.

Mr. Ball appeared and took his seat.

Quorum announced.

Journal read, corrected and approved.

Mr. Bartells appeared and took his seat.

Order of business read.

Special committee on joint rules, submitted the following report:

Mr. Speaker: Your committee on rules and joint rules, beg leave to report that they have conferred with a like committee from the Council, and have decided to adopt the rules and joint rules of the session of 1865.

F. HALL, *Chairman.*

On motion of Mr. Bartells,

The report was received and adopted, and committee discharged.

Mr. Fosher moved

That there be a committee of three appointed to examine the Governor's Message, and recommend it to the different committees for their action on the same.

Carried. And

Speaker appointed Messrs. Fosher, Ball and Bartells as such committee.

Mr. Fosher offered the following resolution:

Resolved, That Judges of the Supreme Court, members of the Executive Department and members of the Council, be admitted within the bar of this House.

On motion of Mr. Ball,

Adopted.

Mr. Fosher here introduced a bill entitled "A bill for a joint memorial to the Congress of the United States, asking for the establishment of a Mining Bureau for the Territory of Colorado.

Bill read first time by its title.
H. B. No. 1, was read second time, and
On motion of Mr. Fosher,
Referred to committee on Incorporations.
H. B. No. 2, read second time, and
On motion of Mr. Henry,
Referred to committee on Incorporations.
H. B. No. 3, read second time, and on motion,
Referred to committee on Incorporations.
Speaker ordered
Sergeant-at-Arms to procure a map of Colorado Territory for the use of the House.
Mr. Henry moved
To adjourn until to-morrow at 10 o'clock, a. m.
Mr. Bartells moved to amend, by saying 9 o'clock, a. m.
Amendment accepted, and motion carried.

TUESDAY, JANUARY 9th, 1866.

House met at 9 o'clock, a. m., pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent, Messrs. Bergen, Bartells, Ball, Ehrhart, Fosher, Gregory, Hall and Martine.
No quorum present.
On motion of Mr. Riddlebarger, House adjourned until 10 o'clock, a. m.

10 O'CLOCK, A. M.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent, Messrs. Bergen, Gregory and Hall.
Journal read and approved.
Special committee on Governor's Message, made the following report:

Mr. Speaker: Your special committee to whom was referred the Message of His Excellency, the Governor, beg leave to recommend,
That as much of that Message as refers to Indian Affairs be referred to committee on Indian Affairs.
That portion referring to Finance, to the committee on Ways and Means.

That portion referring to Pacific Railroad, Telegraph and Denver Memorial, to the committee on Federal Relations.

That portion referring to Territorial Affairs, Library and School Fund, to committee on Education.

That portion referring to the Adjutant General's Report, and Colorado Militia, to the committee on Military Affairs.

That portion referring to the Supreme Court, to the committee on Judiciary.

That portion referring to Gambling and Emigration, to the committee on Territorial Affairs.

Respectfully submitted.

JOHN FOSHER, *Chairman.*

Mr. Henry gave notice that he would on to-morrow, or some subsequent day, introduce

A Bill to incorporate the Colorado and New Mexico Wagon Road Company.

Also at the same time,

A Bill to amend an Act entitled An Act to prevent the introduction of animals for the purpose of grazing, within certain limits, approved November 6th, 1861.

Also at the same time,

A Bill for an Act granting the exclusive right to Thomas Suttells, of Pueblo, to establish and maintain a ferry across the Arkansas River at the town of Pueblo.

Mr. Riddlebarger gave notice that he would on to-morrow, or some subsequent day, introduce

A Bill for an Act concerning County Lines.

Also,

A Bill for an Act to incorporate the Arkansas River and Saint Charles Ditch and Irrigating Company.

Mr. Fosher gave notice that he would on to-morrow or some subsequent day introduce

A bill relating to Assaying of Minerals in Colorado Territory.

Mr. Bartells gave notice that he would, on to-morrow or some subsequent day, introduce

A Bill to repeal an Act entitled An Act to create the office of Flour Inspector, approved Feb. 8th, 1865.

Mr. Ball presented a petition asking for the establishment of a new County, to be taken off of the western part of Summit County.

The petition was read and referred to the committee on Counties and County Lines.

Mr. Henry presented a petition from Joseph Cox and others, asking for the right to Thomas Suttells, of keeping a ferry at Pueblo.

The petition was read and referred to the committee on Incorporations.

H. J. R. No. 1 was read second time and referred to committee on Federal Relations.

Mr. Riddlebarger moved that the resolution in relation to absent members be taken from the table and considered.

Carried.

Mr. Riddlebarger offered the following amendment:

Strike out "or" in the 8th line, and "otherwise" in the 9th line from the top; and strike out "except the member from Fremont County, and members from Costella County."

Amendment accepted by Mr. Henry.

Mr. Fosher moved that this resolution be made the order of the day for 2 o'clock, this p. m.

Carried.

Mr. Colvin moved that the committee on Credentials report the names of absentees, at 2 o'clock, this p. m.

Carried.

Mr. Hall moved,

That this House adjourn until 2 o'clock, p. m.

Carried.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Committee on credentials made the following report:

Mr. Speaker: Your committee on Credentials ask leave to submit the following report:

That A. Mansur, Ira Austin, and J. W. Watson, of the 6th district,

A. D. Beran, of the 8th district,

Geo. W. Norris, of the 9th district,

Wm. Lock, of the 13th district,

Jesus Maria Barela, of the 19th district,

And M. Mandragen, of the 11th district,

In all, eight members who were proclaimed elected to this House, have failed to appear and take their seats.

We therefore report said members absent from this House.

All of which is respectfully submitted.

H. J. GRAHAM,
JOHN FOSHER.

Mr. Fosher moved the adoption of the report.

Carried.

Mr. Henry's resolution in relation to absent members was then taken up and considered.

Ayes and nays called for on the resolution.

Ayes, Messrs. Breath, Colvin, Dodge, Ehrhart, Graham, Hall, Henry, Johnson, Keys, Riddlebarger and Speaker—11.

Nays, Messrs. Bartells, Ball, Fosher, Graham and Martine—5. Carried.

Mr. Fosher offered the following resolution:

Resolved, That the seats of *all* absentees reported by the committee on Credentials, as absent, shall be declared vacant.

Mr. Riddlebarger moved,

To lay the resolution on the table, and called for the ayes and nays.

Ayes, Messrs. Breath, Colvin, Dodge, Ehrhart, Graham, Henry, Keys, Riddlebarger and Speaker—9.

Nays, Messrs. Bartells, Ball, Fosher, Gardner, Hall, Martine, —6. Carried.

Mr. Bartells introduced the following resolution:

Resolved, That no standing committee shall hold a bill longer than five days under consideration, without the consent of the House.

Mr. Graham gave notice that he would, at some future time, introduce a bill for changing the time of holding the General Elections.

Mr. Colvin introduced the following resolution:

Whereas, The people of the Territory of Colorado, in their sovereign capacity, ordered an election and adopted a State Constitution, on the second of September, 1865, and also duly elected members to a State Legislature, in accordance with said Constitution.

And whereas, The Honorable Senate and House of Representatives of the said State Legislature, after having organized, appointed a special committee to wait on His Excellency, Governor Gilpin, Governor elect of the so-called State of Colorado, and inform His Excellency that both Houses were duly organized, and would meet in joint Convention at a specified time, at which time the Legislature would be ready to listen to any communication he might think proper to offer.

And Whereas, His Excellency, Governor Gilpin, appeared before said joint convention and delivered a very important and instructive message,

Therefore, Resolved, 1st, That inasmuch as said State Legislature and said joint convention, and all acts done by them were unprecedented and informal, we, the House of Representatives of the Territory of Colorado, heartily approve the magnani-

mous condescension of His Excellency, Governor Gilpin, in delivering a message to said State Legislature.

Resolved, 2d, That we commend the wisdom and high appreciation, as shown by the State Legislature, in ordering five thousand copies of Governor Gilpin's message printed.

Resolved, 3d, That we denounce the comments in the editorial columns of the *Rocky Mountain Daily News*, of Jan. 8th, wherein it characterizes the message of Governor Gilpin as dealing in ambiguous and highfaluting language, as undignified and unworthy the columns of any respectable newspaper of Colorado.

Mr. Ball moved,

To lay resolution on the table, and

Ayes and nays called for.

Ayes, Messrs. Ball, Dodge, Fosher, Graham, Hall, Johnson, Keys, Riddlebarger and Speaker—9.

Nays, Bartells, Breath, Colvin, Ehrhart, Gardner, Henry and Martine—7.

Carried.

Sergeant-at-Arms announced a message from the Council.

COUNCIL CHAMBER, January 9, 1866.

To the Honorable Speaker of the House of Representatives:

I am instructed to inform your Honorable Body that the Council has passed the following bill, C. B. No. 10.

A bill for an act to suppress gambling and gambling houses, and to repeal an act to suppress gambling and gambling houses, approved March 2d, 1864,

And to repeal an act limiting the operation of an act to suppress gambling and gambling houses, approved March 2d, 1864.

And repealing certain parts of section 31, of an act entitled an act to incorporate the city of Denver, approved March 11th, 1864.

Very Respectfully,

CHARLES E. COX, *Secretary*.

Mr. Riddlebarger moved

To adjourn until 10 o'clock, a. m., to-morrow.

Mr. Bartells called for the ayes and nays.

Ayes, Messrs. Ehrhart, Gardner, Graham, Hall, Henry, Johnson, Riddlebarger and Speaker—8.

Nays, Messrs. Bartells, Breath, Ball, Colvin, Dodge, Fosher, Keys and Martine—8.

Lost.

Mr. Bartells moved,

To suspend the rules and consider C. B. No. 10.

Division of the House called for, and

Motion carried.

Mr. Fosher moved,

The bill be read first and second time, and referred to appropriate committee.

Carried, and

Bill read first and second time.

Mr. Colvin moved,

The House go into a committee of the whole, for the consideration of C. B. No. 10, in relation to gambling and gambling houses.

Mr. Fosher offered the following resolution, as an amendment to Mr. Colvin's motion:

Resolved, That Council Bill No. 10, be referred to the committee of the whole, and made the special order of the day for to-morrow at 10 o'clock.

Amendment accepted,

Mr. Henry called for the reading of the rules.

Rules read.

Mr. Colvin moved to amend the resolution, offered by Mr. Fosher, by referring said "C. B. No. 10," to committee on Judiciary, and that said committee report at 10 o'clock to-morrow.

Mr. Fosher did not accept the amendment.

Mr. Fosher's resolution ruled out of order by the Speaker.

Mr. Fosher appealed from decision of the chair.

The House sustained the Speaker.

Mr. Graham moved,

That rule No. 17, be suspended for the purpose of considering C. B. No. 10.

Carried.

Mr. Graham moved that C. B. No. 10 be made the special order of the day for to-morrow at 11 o'clock.

Carried.

Mr. Riddlebarger moved,

The House adjourn until to-morrow at 2 o'clock, p. m.

Mr. Hall moved to amend by saying 10 o'clock, a. m.

Ayes and nays called for.

Ayes, Messrs. Bartells, Breath, Ball, Colvin, Dodge, Ehrhart, Fosher, Graham, Hall, Henry, Keys, Martine and Speaker—14.

Nays, Gardner and Riddlebarger—2.

Carried.

And House adjourned until 10 o'clock to-morrow.

WEDNESDAY, JANUARY 10th, 1866.

House met pursuant to adjournment, at 10 o'clock, a. m.
Speaker in the chair.
Roll called.
Absent, Messrs. Bergen, Gregory and Hall.
Quorum present.
Journal read and approved.
Committee on Credentials made the following report:

Mr. Speaker: Your committee on Credentials submit the following report:

Mr. Norris, from the 9th Representative District, has appeared and presented his credentials, and your committee find him entitled to a seat in this House.

H. J. GRAHAM, *Chairman.*

On motion, adopted. And

Mr. Norris appeared and the required oath was administered to him by the Speaker.

Mr. Fosher presented a memorial from the people of Colorado, to the Congress of the United States, asking certain action in regard to titles of the mineral lands of Colorado.

Memorial read, and

On motion, referred to committee on Federal Relations.

Mr Riddlebarger presented the following petition:

To the Honorable Council and House of Representatives:

We, the undersigned citizens and residents of Trinidad, Huerfano County, Colorado, would respectfully ask your Honorable Bodies to pass a bill incorporating the town of Trinidad, believing we shall be materially benefited thereby.

And your petitioners in duty bound will ever pray.

Mr. Henry moved that permission be granted Mr. Riddlebarger to present a bill accompanying the petition.

Permission granted by the House.

Committee on Incorporations made the following report:

Mr. Speaker: Your committee on Incorporations beg leave to report,

That they have had under their consideration H. B. No. 1, an act to amend an act entitled an act to incorporate the Denver and Pacific Wagon Road, approved March 10th, 1864.

Also,

H. B. No. 3, an act granting the exclusive right to William

Craig, to erect and maintain a toll bridge across the Arkansas River, and recommend their passage without amendment.

MATT RIDDLEBARGER, *Chairman.*

Mr. Henry gave notice that he would, on to-morrow or some subsequent day, introduce a bill for the relief of the Arkansas Valley Ditch and Irrigating Company.

Mr. Johnson gave notice that he would, on to-morrow or some subsequent day, introduce

A bill to incorporate the Coal Creek and Black Hawk Wagon Road Company.

Mr. Colvin moved,

That all motions be reduced to writing.

Lost.

The following bills were read first time:

H. B. No. 5.

A bill for an act to incorporate the Arkansas River and St. Charles Ditch and Irrigating Company.

H. B. No. 6.

For an act to repeal an act entitled, an act to create the office of Flour Inspector.

Approved Febuary 8th, 1865.

H. B. No. 7.

For an act to incorporate the Colorado and New Mexico Wagon Road Company.

H. B. No. 8.

For an act to amend an act to prevent the introduction of animals within certain limits.

Approved November 6th, 1861.

H. B. No. 9.

For an act granting the exclusive right to Thomas Suttells of Pueblo to establish and maintain a ferry across the Arkansas river at the town of Pueblo.

H. B. No. 10.

For an act to incorporate the Trinidad Town Company.

H. B. No. 1.

Read third time, and referred to the committee on Engrossment.

House went into committee of the Whole for consideration of C. B. No. 10.

Mr. Colvin in the chair.

The committe arose, asked leave to sit again.

Mr. Fosher moved that the Clerks of the House be authorized to compare the proof-sheets of Council Bill, No. 10 in order to make the necessary corrections.

Carried.

Mr. Riddlebarger moved that

The House adjourn until 2 o'clock, p. m.

Carried.

AFTERNOON SESSION.

House met at 2 o'clock, p. m., pursuant to adjournment.

Speaker in the Chair.

By permission,

Mr. Graham offered the following resolution:

Resolved, That the Secretary of the Territory is hereby instructed to furnish this House with the manuscript copies of the Laws of the Legislative Assembly which the Organic Act requires him to record and preserve.

Mr. Hall offered the following amendment:

Resolved, That the Honorable Speaker of this House be authorized to request of the Honorable Sam. H. Elbert, Secretary of Colorado Territory, that this House be furnished with all manuscripts, laws, records, journals, and other papers pertaining to the Legislative Assembly now in session, and that the same be placed within the building now occupied by said Assembly, for its use and benefit.

Amendment accepted.

Motion made that House go into committee of the Whole at 2½ o'clock.

Carried.

H. B. No. 3,

Now taken up and considered.

Mr. Hall moved that the bill be referred to a select committee.

House went into a committee of the Whole for the consideration of

C. B. No. 10.

After some time committee arose.

Mr. Fosher moved the House take a recess of twenty minutes.

Carried.

Time of recess having expired,

The House was called to order by the Speaker.

Committee of the Whole submitted the following report:

Mr. Speaker: The chairman of the committee of the Whole asks leave to report as follows:

They have had under consideration C. B. No. 10, for the suppression of gambling and gambling houses, and have agreed to recommend the striking out the word "or" between the words "livelihood" and "shall" in section two, line seventeen, and insert the word *and* instead.

Also, recommend the striking out of the word "assessment," in line 41, section 6, and inserting the words "Bill, bond, note or other evidence of indebtedness."

Also, recommend adding to section 7, the following: "Every day for which any person or persons that shall keep any place mentioned in the first section of this act, to be used for gambling, and shall knowingly submit any such place to be used or occupied for gambling, contrary to provisions of said section, shall be deemed and held to be a separate and distinct offense.

Also, recommend that in line 55, of section 9, insert between the words "four" and "be," "So much of said acts as conflict with this act."

Also, all parts and portions of acts which authorize or empower any city or other incorporation to license gambling houses, with the above amendments. The committee recommend that the bill do pass.

Mr. Fosher moved that the report be received and adopted.

Carried.

Committee on Credentials made the following report:

Mr. Speaker: Your committee on Credentials ask leave to make the following report: That Mr. Barela from the 11th Representative district, has appeared and presented his credentials, which your committee have examined, and find him entitled to a seat in this House.

H. J. GRAHAM,
J. FOSHER.

On motion, the report was received and adopted.

Mr. Barela came forward, and the oath of office was administered to him by the Speaker.

Mr. Hall moved,

That the rules be suspended, and he be allowed to present a resolution.

Carried.

And resolution adopted.

Mr. Ball moved,

That the rules be suspended, and he be allowed to present a resolution.

Carried.

And Mr. Ball offered the following resolution:

Resolved, That the Secretary of the Territory be instructed to have printed for this House one hundred copies of the rules adopted by this House.

Carried.

Mr. Hall moved,
To adjourn until 7 o'clock this evening.
Motion withdrawn, and
A letter from the Honorable A. A. Bradford was read by consent of the House.
Mr. Hall renewed his motion to adjourn.
Carried.

EVENING SESSION.

House met at 7 o'clock, pursuant to adjournment.
Speaker in the chair.
H. B. No. 3, taken up.
Motion of Mr. Dodge, as to amendment of H. B. No. 3, withdrawn.
Mr. Graham moved,
That the House now go into a committee of the Whole, for the consideration of H. B. No. 3.
Carried, and
House went into committee of the Whole.
Mr. Graham in the chair.
After some time spent therein, the committee arose.
On motion of Mr. Riddlebarger,
Mr. Henry was allowed to withdraw H. B. No. 3.
Mr. Fosher moved,
To take up C. B. No. 10, for consideration.
Mr. Riddlebarger moved,
To adjourn until to-morrow at 10 o'clock, a. m.
Lost.
Mr. Graham moved,
To consider C. B. No. 10, by sections.
Carried, and
Section 1 read, and,
On motion of Mr. Bartells,
Adopted.
Section 2 read, and Mr. Riddlebarger moved,
That the House do not concur with the committee of the Whole on the amendments.
Carried, and
Section adopted as first read.
Section 3 read and adopted.
Section 4 read and adopted.
Section 5 read and adopted.
Section 6 read.
Mr. Fosher moved,
That the House do not concur in the amendment of the committee.

Carried, and section adopted.

Section 7 read and adopted as amended.

Section 8 read and adopted.

Section 9 read, and on motion,

Adopted as amended.

Section 10 read and adopted.

Mr. Norris moved,

That the title of the bill be amended by striking out all after the word "Houses."

Carried.

Mr. Fosher moved,

That the amendments of the bill be engrossed for third reading.

Carried.

On motion, House adjourned until Thursday, January 11th, 1866.

THURSDAY, JANUARY 11, 1866.

House met at 9 o'clock, a. m., pursuant to adjournment.

Speaker in the Chair.

Roll called.

Absent, Messrs. Bergen, Bartells, Barela, Gregory, Hall and Martine.

Quorum present.

Journal read and approved.

Committee on Incorporations made the following report:

Mr. Speaker: Your committee on Incorporations, beg leave to report that they have had under consideration H. B. No. 2, a bill for an act to amend an act entitled an act to incorporate the Denver and San Luis Valley Wagon Road Company, and recommend its passage.

MATT RIDDLEBARGER, *Chairman*.

Committee on Engrossment made the following report:

Mr. Speaker: Your committee on Engrossment, beg leave to report H. B. No. 1, as correctly engrossed.

THOMAS KEYS, *Chairman*.

Mr. Bartells presented the following note from Mr. Gregory, explaining his absence:

KEYSTONE RANCH,
January 7th, 1866.

Mr. Louis F. Bartells:

SIR: You will confer a favor on me by informing the House that the cause of my absence is the sickness of my family, and it is impossible for me to leave at this time.

[Signed] DAVID GREGORY.

On motion, Mr. Gregory was excused.

Mr. Breath gave notice that on to-morrow, or some subsequent day he would introduce a bill to repeal an act entitled an act amendatory to an act relating to fencing, approved March 11, 1864.

Mr. Riddlebarger introduced the following resolution:

Resolved, That the committee on Elections and Apportionments be requested to report at an early day a bill for re-districting and apportioning the Territory into Council and Representative districts.

C. B. No. 1, read first and second time, and, on motion, Referred to committee on Federal Relations.

H. B. No. 11, entitled an act for the relief of the Arkansas Valley Irrigating Company, read first and second time, and referred to committee on Federal Relations.

H. B. No. 5, read second time, and referred to committee on Incorporations.

H. B. No. 6, read second time, and referred to Judiciary committee.

H. B. No. 9, read second time, and referred to committee on Roads and Bridges.

H. B. No. 8, read second time, and referred to committee on Agriculture and Manufactures.

H. B. No. 10, read second time, and referred to committee on Federal Relations.

H. B. No. 11, read second time, and referred to committee on Incorporations.

H. B. No. 2, read at length.

Committee on Engrossment made the following report:

Mr. Speaker: Your committee on Engrossment beg leave to report C. B. No. 10 as correctly engrossed.

THOMAS KEYS, *Chairman.*

On motion, report received.

C. B. No. 10 read at length.

Mr. Hall offered the following amendment:

It shall be the duty of all Sheriffs, Coroners, Constables, Police officers of cities, and other officers charged with executing the laws of the Territory, whenever it shall come to the knowledge of any such officer, that any person has in his possession any cards, tables, checks, balls, wheels, or gambling devices of any nature or kind, used or kept for the purpose of gambling or playing at any game of chance, or that any cards, tables, checks, balls, wheels, or gambling devices used or kept for the purpose aforesaid, may be found in any place, to seize and take such cards, tables, checks, balls, wheels or gambling devices, and convey the same before some Judge or Justice of the Peace, to inquire of such witnesses as he shall summon to appear before him in that behalf, touching the nature of such gambling devices, and if such Judge or Justice of the Peace shall ascertain that the same were used or kept for the purpose of gambling or playing at any game or games of chance, it shall be his duty to destroy the same.

It shall be lawful for officers in executing the duty imposed upon them by this section, to break open doors for the purpose of obtaining possession of any such gambling devices, and all persons having possession of any of the articles aforesaid, shall be conveyed before some Judge or Justice of the Peace, in the county in which they may be found, and held or committed for appearance at the next term of the District Court of such county, for a violation of this act.

Sec. 10. Judges of District Courts throughout the Territory, and Probate Judges and Justices of the Peace in their respective counties, may inquire concerning offences against the provisions of this act, and hold to bail or commit offenders for their appearance at the next term of the District Court of the proper county, and if the Prosecuting Attorney of any County shall elect so to do, it shall be lawful for him, instead of the proceeding by indictment, to present to the District Court information against any and all persons who shall violate any of the provisions of this act, which information shall be made in the name of the people of Colorado Territory, and signed by the Prosecuting Attorney, and need not be otherwise authenticated. When any information shall be presented against any person as aforesaid, the trial shall proceed in the same manner and with like effect, as if such person had been indicted by a Grand Jury.

Message from the Council.

COUNCIL CHAMBER, January 11, 1866.

To the Honorable Speaker of the House of Representatives:

Mr. Speaker—SIR: I am instructed to inform your Honorable Body that the Council has passed the following bills:

C. B. No. 1.

A bill for an act to incorporate the Butterfield Overland Despatch Company.

C. B. No. 3.

A bill for an act supplemental to and amendatory of an act entitled an act to incorporate the Colorado and Clear Creek Railroad Company.

C. B. No. 6.

A bill for an act to amend an act pending for the collection of taxes from non-resident stock owners.

Very Respectfully,

CHARLES G. COX, *Secretary.*

On motion, the first amendment was considered, engrossed, and made section 9 of the bill.

Mr. Norris moved,

That the second amendment be referred to Judiciary Committee.

Carried.

On motion of Mr. Bartells,

C. J. M. No. 1 was taken up and considered.

Committee on Federal Relations reported as follows:

Mr. Speaker: Your committee to whom was referred C. J. M. No. 1, respectfully submit said Memorial without amendment, and recommend its passage.

FRANK HALL, *Chairman.*

Report adopted.

On motion, memorial was read a third time, and put upon its final passage, and the question being upon its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Barela, Ball, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Hall, Henry, Johnson, Keys, Martine, Norris, Riddlebarger, and the Speaker—18.

Nays, none.

So the bill passed, and the title agreed to.

Mr. Hall introduced H. C. R. No. 1, in relation to manuscript Laws of the Territory.

On motion, House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION

House met at 2 o'clock, p. m., pursuant to adjournment.

Speaker in the chair.

Committee on Council Bill No. 10, made the following report:

Mr. Speaker: Your committee to whom was referred the amendments to C. B. No. 10, beg leave to report the same back to the House without amendment or recommendation.

J. W. HENRY, *Chairman.*

On motion, the amendment was adopted.

Mr. Graham moved,

That the sections that were numbered 9 and 10, be now numbered 11 and 12, respectively.

Carried.

On motion of Mr. Fosher,

The reading was dispensed with, and the bill put upon its final passage.

The question now being upon its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Colvin, Barela, Dodge, Ehrhart, Fosher, Gardner, Graham, Hall, Henry, Johnson, Keys, Martine, Norris, Riddlebarger, and the Speaker—18.

Nays, none.

So the bill passed and title agreed to.

Message from the Council.

COUNCIL CHAMBERS, January 11, 1866.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform you that the Council has this day passed C. J. R. No. 3,

A Joint Resolution and Memorial of the Council and House of Representatives of Colorado Territory, to the Senate and House of Representatives in Congress assembled; and the concurrence of the House of Representatives is respectfully solicited.

Your Obedient Servant,

CHARLES G. COX,
Secretary of the Council.

On motion, the House went into committee of the Whole for the consideration of H. B's. Nos. 1 and 2.

Mr. Breath in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: I am instructed by the committee of the Whole to report that they have had under consideration H. B. No. 1, and report the same back to the House without amendment, and recommend its passage.

Also, H. B. No. 2, and amend the same by striking out section 2, and with this amendment recommend its passage.

Report received.

Mr. Breath having given previous notice, introduced H. B. No. 12, entitled an act to amend section sixteen (16) of an act entitled an act fixing the compensation of members of the Legislative Assembly and other officers of the Territory of Colorado, approved, Feb. 16th, 1865.

Previous notice having been given, Mr. Graham introduced H. B. No. 13, a bill for an act amendatory of an act entitled an act regulating elections, approved Nov. 6, 1861.

Message from the Council.

COUNCIL CHAMBERS, January 11, 1866.

To the Honorable Speaker of the House of Representatives:

I am instructed to inform your Honorable Body that the Council has passed C. B. No. 2, a bill for an act supplemental to an act entitled an act to create a fund for the benefit of schools. Approved August 15, 1862.

Also, C. B. No. 9, a bill for an act to authorize the Commissioners of Park county to appropriate to other purposes, the military fund, raised by virtue of an act to encourage the formation and equipment of Volunteer companies, approved Feb. 10, 1865.

Very Respectfully,

CHARLES G. COX,
Secretary of the Council.

H. C. R. No. 1, taken up and considered and read the third time and unanimously adopted.

Committee on Federal Relations submitted the following report:

Mr. Speaker: Your committee to whom was referred H. J. M. No. 1, respectfully offer the following substitute for the same, and recommend its passage without further amendment.

FRANK HALL, *Chairman.*

Mr. Breath gave notice that he would, on to-morrow, or some subsequent day, introduce a bill for an act concerning Roads and Highways.

Mr. Gardner gave notice that he would, on to-morrow, or some subsequent day, introduce a bill in relation to irrigating ditches.

Mr. Ball gave notice that on to-morrow, or some subsequent day, he would introduce a bill for an act to dissolve the marriage contract existing between Amos B. Squires, of the Territory of Colorado, and Nancy Squires, of the State of Kansas.

Leave of absence granted Mr. Breath until Tuesday next.

On motion of Mr. Fosher,

The House adjourned until to-morrow at 10 a. m.

FRIDAY, JANUARY 12th, 1866.

House met at 10 o'clock, pursuant to adjournment.

Speaker in the chair.

Prayer by the chaplain.

Roll called.

Absent, Messrs. Bergen and Martine.

Quorum present.

Journal read and approved.

Message from the Governor.

EXECUTIVE DEPARTMENT, COLORADO TERRITORY,
Denver, January 10, 1866.

To the Honorable E. N. Stevens, Speaker of the House of Representatives:

SIR: I have the honor to transmit herewith the reports of the Territorial Librarian, and also the report of the Territorial School Superintendent.

Respectfully, your obedient Servant,
A. CUMMINGS,
Governor Colorado.

OFFICE OF THE TERRITORIAL LIBRARIAN,
Denver, Colorado, January 2, 1866.

To the Honorable the Legislative Assembly of Colorado:

GENTLEMEN: The number of volumes in the Territorial Library having been greatly increased by the recent addition of books, purchased under the Congressional appropriation of twenty-five hundred dollars, and it having been impracticable to find a suitable room for their reception and classification, I am unable at present to report correctly on the condition of said Library.

I would respectfully call the attention of your Honorable Body to the acts passed by the Territorial Legislature, under date of November 6, 1861, and February 9, 1865, concerning Territorial Library and Cabinet, and the appointment of Territorial Librarian, with a view of eliciting from you such action as shall render the present miscellaneous and valuable Library, serviceable to the people of Colorado.

For the careful preservation of the books, their safe custody, and the convenience of the public, it would appear essential that a suitable room be provided wherein to deposit said Library, that a Librarian be appointed to attend said room daily, and at proper seasons to keep the same lighted and warmed. The adoption of such measures would necessarily incur the outlay of a few hundred dollars per annum; but apart from the satisfactory state of our finances, the consideration of that old axiom, "Knowledge is power," is of itself a strong appeal for such legislation as in the opinion of your Honorable Body will tend to advance the interests and the intelligence of the people.

I have the honor to be, gentlemen,

Very Respectfully, your most obedient servant,

ALEXANDER W. ATKINS,

Territorial Librarian.

OFFICE OF THE SUPERINTENDENT OF COMMON SCHOOLS,

Denver, Col., January 2d, 1866.

To the Honorable the Legislative Assembly of Colorado Territory:

GENTLEMEN: It is to be regretted that the efforts of the late Superintendent, used for the purpose of inducing the various County Superintendents to report to this office as required by law, should have proved unsuccessful.

Since the date of this report, (February 1st, 1864,) I find only partial and informal returns of two counties, viz: Douglass and Fremont.

It cannot be presumed that such negligence results from a lack of interest experienced by the people of Colorado in educating their youth, for their efficient contributions in furtherance of this object indicate that they fully realize its importance.

In carefully examining the law passed at the first session of the Legislature of Colorado to establish a system of Common Schools, it will be observed that although a series of duties are thereby prescribed to be performed by County Superintendents, it does not provide any compensation for such services, and to this fact may be attributed the non-performance of those duties.

By an act passed at the second session of the Legislature of Colorado, entitled "An act to create a fund for the benefit of

Schools," the duties of Superintendents in several counties were greatly augmented. Sec. 5 of said act provides that the County Superintendents shall have supervision and control of all mining claims set apart for schools, and shall annually report, &c.

Up to the present date no such report has been received by this office from the Superintendent of any County wherein mines are situated.

Under the provisions of this act many valuable mining claims were set apart for school purposes, and were afterward "jumped." Further legislation is necessary to define a course to be pursued for the purpose of carrying out the original intent of said act.

Several applications have been made at this office on behalf of the colored citizens of Colorado, who, being excluded from participating in the benefit of the school fund, ask that they may be either exempted from payment of a school tax, or that such portion of the same assessed against them may be set apart as a separate fund for the support of schools for the colored people.

I have the honor to be, Very Respectfully,
Your Obedient Servant,
ALEXANDER W. ATKINS,
Territorial School Superintendent.

The following reports were received from standing committees:

Mr. Speaker: Your committee to whom was referred H. B. No. 6, beg leave to report the same back to the House without amendment, and recommend its passage.

J. W. HENRY, *Chairman.*

Mr. Speaker: Your committee on Territorial Affairs, to whom was referred so much of the Governor's Message as referred to gambling, have considered the same, and in view of C. B. No. 10, relating to gambling, having passed the House, your committee would therefore make no recommendations.

JOHN FOSHER, *Chairman.*

Mr. Speaker: Your committee on Territorial Affairs, to whom was referred a memorial of the citizens of Colorado, to the Congress of the United States, have had the same under consideration, and ask to make the following report:

That the Memorial be approved by this legislative body and the following be added:

Resolved, By the Council and House of Representatives, that the above Memorial be passed, and that we request His Excel-

lency, Governor Alexander Cummings, to forward copies of the same to the President of the Senate and Speaker of the House of Representatives, and our delegate in Congress, the Hon. Allen A. Bradford, and recommend that the same be passed.

Respectfully submitted.

JOHN FOSHER, *Chairman.*

Reports of School Superintendent and Territorial Librarian referred to committee on Education.

Mr. Colvin offered the following:

H. J. R. No. 1, concurring in the resolutions adopted at a mass Convention, January 8, 1866.

On motion of Mr. Henry,

The rules were suspended, and

H. J. R. No. 1 read second time, and referred to committee on Federal Relations.

Committee on Federal Relations made the following report:

Mr. Speaker: Your committee to whom was referred H. J. R. No. 1, respectfully report that they have had the same under consideration, and recommend its passage without amendment.

FRANK HALL, *Chairman.*

On motion of Mr. Ball,

The rules were further suspended, and House went into committee of the Whole for the consideration of

H. J. R. No. 1.

Mr. Graham in the chair.

After some time spent therein, the committee arose and submitted the following report:

Mr. Speaker: The committee of the Whole have had under consideration H. J. R. No. 1, and recommend the word "Legislation," be stricken out and the words "Legislative Assembly" be inserted in the second resolution.

And that the resolutions be referred back to the House with the recommendation that they pass without further amendment.

H. J. GRAHAM, *Chairman.*

Report adopted.

The following Council Bills read second time, and referred to the appropriate committees:

C. B. No. 1, read second time, and referred to the committee of the Whole.

C. B. No. 2, read second time, and referred to committee on Education.

C. J. R. No. 3, read second time and referred to committee of the Whole.

C. B. No. 3, read second time, and referred to committee of the Whole.

C. B. No. 6, read second time, and on motion,

Referred to committee on Agriculture.

C. B. No. 9, read second time, and on motion,

Referred to a select committee of one, Mr. Norris.

H. B. No. 12, read second time, and referred to committee on Ways and Means.

H. B. No. 13, read second time, and referred to committee on Elections and Apportionments.

H. B. No. 6, read second time, and referred to committee of the Whole.

On motion, House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met at 2 o'clock, p. m., pursuant to adjournment.

Speaker in the chair.

H. B. No. 1, read third time, and being upon its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Hall, Henry, Keys, Johnson, Norris and Speaker—14.

Nays, none.

So the bill passed and title agreed to.

H. B. No. 2, read third time and section 2 stricken out.

The question being upon its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Hall, Henry, Johnson, Keys and Speaker—13.

Nays, Mr. Norris—1.

So the bill passed and title agreed to.

H. J. R. read, and on motion,

Referred to committee on Engrossment.

On motion of Mr. Graham,

A message was sent to the Secretary of the Territory, asking for a manuscript copy of the charter of the Consolidated Ditch Company, approved October 18th, 1861.

The House now went into committee of the Whole for the consideration of C. B's. Nos. 1 and 3. C. J. R. No. 3. H. J. M. No. 1, and H. B. No. 6.

Mr. Fosher in the chair.

After some time spent therein, the committee arose and asked leave to sit again.

On motion, House adjourned until to-morrow at 9 o'clock. a. m.

SATURDAY, JANUARY 13th, 1866.

House met at 9 o'clock, pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent, Messrs. Bartells, Breath, Barela, Gregory, Hall and Martine.

No quorum.

Messrs. Bartells and Barela appeared and took their seats.

Quorum announced.

Journal read and approved.

Standing committees made the following reports:

Committee on Credentials reported M. S. Mandragen as present and entitled to a seat in this House.

Mr. Mandragen came forward and took the oath of office, which was administered to him by the Speaker.

Committee on Elections reported H. B. No. 13, and recommended that it pass without amendment.

The committee on Agriculture, to whom was referred C. B. No. 6, reported that they have had the same under consideration, and recommend it to pass without amendment.

The committee on Education, to whom was referred C. B. No. 2, have had the same under consideration, and recommend its passage without amendment.

Mr. Norris, the special committee of one, to whom was referred C. B. No. 9, reported that he had the same under consideration, and recommended the passage of the bill as passed by the Council.

Mr. Fosher offered the following resolution:

Resolved, That this House order one hundred copies each of the reports of the Territorial Librarian, Treasurer, Auditor, Secretary, and Superintendent of Schools, printed for the use of this House.

Referred to committee on Printing.

Mr. Gardner gave notice that he would, on to-morrow or some subsequent day, introduce a bill for an act to amend an act entitled an act fixing the compensation of Members of the Legislative Assembly, and other officers of Colorado Territory. Approved February 11, 1865.

C. B's Nos. 2, 9 and 6, and H. B. No. 13 read second time, and referred to committee of the Whole.

On motion, House went into committee of the Whole for such business as shall properly come before it.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee of the Whole have had under consideration H. B. No. 6, an act to repeal an act, approved Feb. 8th, 1865.

Also, H. J. M. No. 1, asking Congress to establish a Mining Bureau.

Report the same back with the recommendation that it pass.

Also, C. B. No. 1, a bill for an act to incorporate the Butterfield Overland Dispatch Company, and recommend that section 4 be amended as follows:

Strike out all after the word "them" in the thirteenth line, and insert in lieu thereof, "That they may have the same rights to the claims on mining lodes which they may discover, that individuals have in the districts where the claims are located.

With the above amendment, your committee recommend that the bill do pass.

Also, C. B. No. 3, C. J. R. No. 1, C. B. No. 9, C. B. No. 2, H. B. No. 6, H. B. No. 13 and H. J. M. No. 2, and recommend their passage without amendment.

Respectfully submitted.

JOHN FOSHER, *Chairman.*

Report received, and

On motion of Mr. Riddlebarger,

House adjourned until Monday at 10 o'clock, a. m.

MONDAY, JANUARY 15th, 1866.

House met at 10 o'clock, a. m., pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent, Messrs. Bergen, Breath, Gregory, Graham and Hall.

Quorum present.

Journal read and approved.

Mr. Keys, from committee on Engrossment, submitted the following report:

Mr. Speaker: Your committee on Engrossment to whom was referred H. J. M. No. 1, beg leave to report that they have had the same under consideration, and find it correctly engrossed.

THOMAS KEYS, *Chairman.*

Committee on Federal Relations made the following report:

Mr. Speaker: Your committee to whom was referred
H. B. Nos. 11 and 12,
Have had the same under consideration, and beg leave to report the same back to the House, with the recommendation that they pass without amendment.

FRANK HALL, *Chairman.*

Report received.

Mr. Gregory appeared and took his seat.

Mr. Riddlebarger gave notice that on some future day he would introduce

A bill to dissolve the bonds of matrimony existing between Cina E. Vandyke, of El Paso County, Colorado Territory, and John Vandyke, of the State of Iowa.

C. B's Nos. 7, 11, 13 and 16,

Read second time, and referred to committee of the Whole.

Mr. Gardner having given previous notice,

Introduced H. B. No. 14,

A bill for an act to amend section 6 of an act entitled an act fixing compensation of members of the Legislative Assembly, and other officers of Colorado Territory.

Message from the Council.

COUNCIL CHAMBERS, January 15th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable body that the report of the Territorial Superintendent of Schools, a document accompanying a message from His Excellency, the Governor, sent to this body on Friday, January 12th inst., was referred to the committee on Education, and your concurrent action is requested.

CHARLES G. COX,
Secretary of Council.

Mr. Graham having given previous notice,

Introduced H. B. No. 15.

A bill for an act relating to irrigating ditches.

By consent of the House,

A minority report was received from the committee on Credentials.

Mr. Speaker: Your committee on Credentials beg leave to make the following report: William Locke, of the 12th district, present and entitled to a seat in this House.

Very Respectfully,

JOHN FOSHER, *Chairman.*

Report adopted.

Mr. Locke came forward and the oath of office was administered to him by the Speaker.

C. B. No. 2, an act supplementary to an act entitled an act to create a fund for the benefit of schools, approved Aug. 15th, 1862, read a third time.

Mr. Fosher moved,

To amend section 1 by striking out the word March, in the 16th line, and insert the word June instead.

Amendment adopted.

The bill being upon its final passage the ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Hall, Henry, Locke, Johnson, Keys, Martine, Mandragen, Norris, Riddlebarger and Speaker—17.

Nays, Messrs. Fosher and Gregory—2.

So the bill passed and title agreed to.

C. B. No. 1, an act to incorporate the Butterfield Overland Despatch Company, read third time.

Mr. Bartells moved,

To amend by adding to section 3, "From Denver, Colorado Territory, to the western boundary of the Territory.

Amendment lost.

Message from the Governor.

EXECUTIVE DEPARTMENT,
Denver, January 15th, 1866.

Hon. E. W. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to submit to your Honorable Body the annual report of the Territorial Auditor.

I am Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Col. Ter.

Mr. Gregory moved,

To amend by inserting a clause, making every individual member of the company liable for the company's debts.

Amendment lost.

Amendment to section 4, recommended by the committee of the Whole, taken up and adopted.

Mr. Bartells moved that to section 7 be added: "Provided that nothing in this act shall in any way exclude Railroad companies or private parties from the use of said road."

Amendment adopted.

Mr. Stearns moved the previous question.

Mr Ehrhart moved to adjourn until 2 o'clock, p. m.

Division called for, and motion carried,

And House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Mr. Fosher in the chair.

The motion for the previous question withdrawn.

Amendments to C. B. No. 1, Section 7, reconsidered.

Mr. Bartells offered the following substitute:

"*Provided*, That nothing granted in this act shall in any way exclude private parties or freighters from the use of this said Road, nor shall it interfere with granting Railroad Charters over the same road.

Accepted and passed.

Previous question called for, and carried.

Question being on the final passage of the bill, the ayes and nays were:

Ayes, Messrs. Ball, Colvin, Dodge, Ehrhart, Fosher, Graham, Hall, Henry, Johnson, Keys, Locke, Norris, Riddlebarger, and Speaker—15.

Nays, Messrs. Bartells, Barela, Gregory, Martine, and Mandragen—5.

So the bill passed, and title agreed to.

C. B. No. 6, was read a third time, and the question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Dodge, Fosher, Graham, Gregory, Johnson, Keys, Martine, Mandragen, Norris—12.

Nays, Messrs. Colvin, Ehrhart, Gardner, Henry, Riddlebarger, Locke, and Speaker—7. Mr. Hall excused.

So the Bill passed, and title agreed to.

C. B. No. 3, a Bill for an act supplementary of an act, entitled

"An act to incorporate the Colorado and Clear Creek Rail Road Company, approved Feb. 9th, 1865."

Read third time, and the question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger, and Speaker —20.

Noes, none.

So the bill passed, and title agreed to.

C. B. No. 9, a bill for an act to authorize the Commissioners of the County of Park, to appropriate to other purposes, the Militia Fund, raised by virtue of an act, entitled an act to encourage the formation and equipment of volunteer companies, approved Feb. 10th, 1865.

Read third time, and being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger, and Speaker—20.

Nays, none.

So the bill passed, and title agreed to.

C. J. R. No. 3, a Joint Resolution and Memorial of the Council and House of Representatives of Colorado Territory, to the Senate and House of Representatives, in Congress assembled.

Read the third time, and the question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger, and Speaker—20. Nays, none.

So the bill passed, and title agreed to.

Message from the Council.

COUNCIL CHAMBER, January 15th, 1866.

To the Honorable, the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body, that the Council has passed the following bills: C. B. No. 5, a bill for an act, to incorporate the Overland Wagon Road Company.

C. B. No. 14, a bill for an act authorizing and legalizing the transcription of the Records of Pueblo County.

Your concurrent action is requested.

CHARLES G. COX, *Secretary.*

House Joint Resolution No. 1, a resolution concurring in resolutions adopted at a Mass Convention, January 8th, 1866.

Read third time, and the question being on its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, and Speaker—19.

Nays, none.

So the resolution passed.

H. J. M. No. 1, asking Congress to establish a Mining Bureau, within the limits of Colorado Territory.

Read a third time, and the question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Gregory, Hall, Henry, Keys, Johnson, Locke, Martine, Mandragen, Norris, and Speaker—18.

Nay, Mr. Graham.

So the memorial passed, and title agreed to.

H. J. M. No. 2, read third time, and ordered engrossed.

H. B. No. 6, an act to repeal an act, entitled an act to create the office of Flour Inspector, approved Feb. 8, 1865.

Read a third time, and the question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger, and Speaker—19.

Nays, none.

So the bill passed and title agreed to.

The House now went into committee of the Whole on the General File.

Mr. Fosher in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: I am directed by the committee of the Whole, that they have had the following bills under consideration, and beg leave to report as follows:

C. B. No. 7, report the same back, and recommend that it be referred to the committee on Judiciary.

Also, C. B. No. 11, and report the same with recommendation that it do pass.

Also, C. B. No. 13, and report the same back, with recommendation that the same do pass.

Also, C. B. No. 16, and report the same back, and recommend it to be referred to the committee on Agriculture and Manufactures.

Very Respectfully,

JOHN FOSHER, *Chairman.*

On Motion of Mr Mandragen,

The House adjourned until to-morrow at 11 a. m.

TUESDAY, JANUARY 16th, 1866.

House met at 10 o'clock, a. m., pursuant to adjournment.
Speaker in the chair.
Prayer by the Chaplain.
Roll called.
Absent, Messrs. Bergen, Breath, Graham and Hall.
Quorum present.
Journal read and approved.
Committee on Judiciary reported C. B. No. 7 back, with recommendation that it do not pass.
Mr. Riddlebarger, from committee on Incorporations, reported as follows:

Mr. Speaker: Your committee on Incorporations have had under consideration H. B. No. 5, and would respectfully recommend that it be referred to the committee of the Whole for favorable consideration.

M. RIDDLEBARGER.

Mr. Hall, from the committee on Printing reported verbally, that he had placed the reports of Territorial Officers in the hands of the printer.
Message from the Governor in regard to Auditor's report.
Auditor's report referred to committee on Engrossment.
Message from the Council.

COUNCIL CHAMBER, Jan. 16th, 1866.

To the Honorable, the Speaker of the House of Representatives:
SIR: I am directed to inform your Honorable Body that the Council has refused to concur in and have indefinitely postponed H. C. R. No. 1, a resolution requiring the Secretary of the Territory to place the records, journals, &c., &c., in a building designated by the Executive.

Very Respectfully,
CHARLES G. COX,
Secretary of Council.

Mr. Colvin gave notice that he would, on to-morrow, or some subsequent day, introduce a bill concerning lode claims.
Mr. Fosher gave notice that he would, on to-morrow or some subsequent day, introduce a bill for an act amendatory of an

act entitled an act concerning lode claims, approved November 7th, 1861.

Mr. Gregory gave notice that he would on to-morrow or some subsequent day, introduce a bill for the registration of stray stock, and sale thereof; also, requiring the registration of brands and marks.

Mr. Riddlebarger gave notice that he would introduce a bill for an act amendatory of an act to prevent the introduction of stock into the counties of Huerfano, Pueblo, Fremont, Jefferson, Boulder and Costillo, for the purpose of grazing, approved August 15th, 1862.

Mr. Fosher gave notice that he would on to-morrow, or some future day, introduce a bill for a special tax to raise a fund to pay the militia of Colorado Territory.

Mr. Johnson gave notice that he would at some future time introduce a bill entitled an act to incorporate the Boulder and Weld County Ditch Company.

C. B. No. 5 read second time and referred to committee on Incorporations.

Mr. Fosher introduced H. B. No. 16, an act concerning analytical assays of minerals in Colorado Territory.

H. B. No. 14,

Read second time and referred to committee on Ways and Means.

H. B. No. 15,

Read at length and referred to committee on Agriculture.

C. B. No. 11,

Read, and being on its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger, and Speaker —20.

Nays, none.

C. B. No. 13,

Read at length, and the question being on its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger, and Speaker —20.

Nays, none.

So the bill passed and title agreed to.

C. B. No. 7 read third time and referred back to the committee of the Whole.

On motion,

The House went into committee of the Whole on the General File.

After some time spent therein, the committee rose,
And on motion,
The House adjourned until 1.30, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment, at 1.30, p. m.
Speaker in the chair.
Sergeant-at-Arms sent after Mr. Hall.
On motion,
The House took a recess of one half hour.
Time of recess having expired, the House was called to order by the Speaker.
Report of committee of the Whole was read as follows:

Mr. Speaker: Your committee of the Whole report that they have considered the following bills:

C. B. No. 7 is referred back to the House with recommendation that it do not pass.

H. B. No. 12 is reported back to the House with the recommendation that it be laid upon the table until the same can be explained by the Hon. Mr. Breath, who is now absent.

H. B. No. 11 is reported back to the House with recommendation that it do pass.

H. B. No. 5 referred back, with recommendation that it do pass.

FRANK HALL, *Chairman.*

Mr. Graham presented a petition from the people of Colorado Territory, in regard to the herding of cattle.

Petition read and referred to committee on Agriculture and Manufactures.

Mr. Gardner presented a petition from the citizens of Douglass county, in relation to repealing an act entitled "An act for the protection of farmers against the depredations of stock."

Referred to committee on Agriculture and Manufactures.

Message from the Council.

COUNCIL CHAMBERS, January 16, 1866.

To the Honorable, the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has concurred in House amendments to C. B. No. 1, a bill for an act to incorporate the Butterfield Overland Dispatch Company, and has passed H. J. R. No. 1, a joint resolution concurring in the resolutions adopted at a mass convention, January 8, 1866; and have indefinitely postponed H. B. No. 6,

a bill for an act to repeal an act entitled an act creating the office of Flour Inspector, approved Feb. 8th, 1865.

And has passed,

H. B. No. 13, a bill for an act amendatory of an act entitled an act regulating elections, approved November 6th, 1861, and H. J. M. No. 1, a joint memorial to the Congress of the United States, and H. B. No. 1, a bill for an act to amend an act entitled an act to incorporate the Denver and Pacific Wagon Road Company, approved March 10th, 1864.

Very Respectfully,

CHARLES G. COX, *Secretary.*

Mr. Johnson presented a petition from the citizens of Weld county, in regard to passing a law repealing the stock law which requires the herding of stock between April and November.

Read and referred to committee on Agriculture and Manufactures.

Mr. Henry presented a petition from the citizens of Pueblo county, in relation to a special term of the District Courts to be held at Pueblo.

Received, read and referred to committee on Judiciary.

Mr. Hall gave notice that on to-morrow he would introduce A bill to provide for the payment of Clerks and other officers of the Legislative Assembly. Also,

A joint memorial to the Congress of the United States, concurring in a memorial adopted by the Mining Board of Gilpin County, adopted Jan. 13th, 1866.

Mr. Dodge gave notice that he would at some future time introduce a bill to incorporate the Middle Park and South Boulder Wagon Road Company.

Mr. Graham gave notice that he would at some future time introduce a bill for an act to incorporate the Denver and Turkey Creek Wagon Road Company.

Mr. Bartells gave notice that he would at some future time introduce a bill for an act to reduce the law incorporating the city of Denver, and the several acts amendatory thereof, into one act, and to amend the same.

Mr. Norris gave notice that he would on to-morrow or some subsequent day, introduce a bill to incorporate the Hamilton and Montgomery Wagon Road Company.

Mr. Henry gave notice that he would at some future time introduce a bill to amend an act entitled an act to incorporate the Excelsior Ditch Company, approved March 11th, 1864.

By permission, Mr. Breath introduced

H. B. No. 17, a bill for an act to legalize the March Term of the District Court held in Boulder County, A. D. 1865.

Mr. Fosher moved;

That the Judiciary committee be instructed to report at their earliest convenience, a bill districting the Territory into judicial districts, and assigning the Judges to the same.

Motion carried.

On motion of Mr. Hall,

The House adjourned until 10 o'clock, a. m., to-morrow.

WEDNESDAY, JANUARY 17th, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent, Messrs. Bergen and Graham.

Mr. Ball moved,

To suspend the reading of the Journal until the afternoon.

Carried.

Message sent to the Council in regard to one of the amendments to C. B. No. 1.

Committee on Credentials made the following report:

Mr. Speaker: Your committee on Credentials beg leave to report Columbus Nuckolls and C. M. Grimes, of the sixth representative district, who were elected at a special election, held by virtue of a proclamation by the Governor, of the thirteenth of January, 1866, and find them entitled to seats as members of this House.

Very Respectfully,

H. J. GRAHAM,
JOHN FOSHER.

Report received, and

Messrs. Nuckolls and Grimes came forward, and the required oath of office was administered to them by the Speaker.

Mr. Dodge presented a petition from members of the bar, in relation to the fees of the clerks of the District Courts.

Judiciary committee reported on C. B. No. 14, an act authorizing and legalizing the transcription of the records of Pueblo County, have had the same under consideration and report the same back to the House, and recommend its passage with the following amendment: After the word "Pueblo," in second line, section 1, strike out the word "County," and insert the words, "and Huerfano Counties."

Respectfully,

J. W. HENRY, *Chairman*.

Mr. Riddlebarger gave notice that he would introduce a bill legalizing the proceedings of the Probate Court of Huerfano County.

Also, a bill for an act authorizing the County Commissioners of Huerfano County to levy a special tax to pay past indebtedness.

Previous notice having been given, Mr. Gardner introduced H. B. No. 18, a bill for an act to incorporate the Denver and Turkey Creek Wagon Road Company.

Read first and second time, and referred to committee on Roads and Bridges.

Mr. Norris having given previous notice, introduced H. B. No. 19, a bill for an act to incorporate the Hamilton and Montgomery Wagon Road Company.

Read first and second time, and referred to committee on Roads and Bridges.

Mr. Breath having given previous notice, introduced H. B. No. 20, a bill for an act supplemental to an act concerning Roads and Highways.

Read first and second time, and referred to committee on Roads and Bridges.

C. B. No. 14, read second time, and referred to committee of the Whole.

C. B. No. 7, a bill for an act to regulate the fees of the Clerks of the Courts of Colorado Territory, read at length, and on motion of Mr. Fosher,

It was laid on the table.

H. B. No. 5, a bill for an act to incorporate the Arkansas River and St. Charles Ditch and Irrigating Company, read at length, and the question being upon its final passage the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed and title agreed to.

H. B. No. 11, a bill for the relief of the Arkansas Valley Ditch and Irrigating Company.

Read at length, and the question being on its final passage the ayes and nays were:

Ayes, Messrs. Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—22.

Nays, none.

H. B. No. 12, a bill for an act to amend section 16 of an act entitled an act fixing the compensation of members of the

General Assembly, and other officers of the Territory, approved Feb. 10th, 1865.

Mr. Gregory moved,

To amend by striking out the words "County seat," and inserting "The place of meeting."

Carried.

Read at length, and the question being upon its final passage, the ayes and nays were:

Ayes, Messrs. Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed and the title agreed to.

On motion of Mr. Hall,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met at 2 o'clock, pursuant to adjournment.

Speaker in the chair.

Journal read and approved.

Mr. Mandragen moved,

That the Clerk read the Journal in the Spanish Language.

Motion carried:

But owing to the incompetency of the Clerk, the reading was dispensed with.

Mr. Hall offered the following resolution:

Resolved, That the following Rule be added to the Rules, adopted for the government of the House:

"That no amendment shall be received for discussion at the third reading of any Bill, Resolution or Motion, unless by unanimous consent of the members present."

Referred to committe of the Whole.

Mr. Bartells, by permission of the House, introduced

H. B. No. 22, a bill for an act to reduce the law incorporating the City of Denver, and the several acts amendatory thereof, into one act, and to amend the same.

Mr. Henry, by permission of the House, introduced

H. B. No. 21, a bill for an act to provide for the payment of Clerks and other Officers of the Legislative Assembly.

Bills Nos. 21 and 22, read first and second times, and referred to the committee of the Whole.

Messages from the Council.

COUNCIL CHAMBER, January 16, 1866.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body, that the Council has concurred in the House amendment to C. B. No. 2, a bill for an act to amend an act, entitled an act to create a fund for the benefit of Schools, approved Aug. 15th, 1862.

Very Respectfully,

CHARLES G. COX,
Secretary of Council.

COUNCIL CHAMBER, January 17, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body, that the Council has concurred in House amendments to C. B. No. 1, transmitted this morning.

Very Respectfully,

CHARLES G. COX,
Secretary of Council.

COUNCIL CHAMBER, January 17, 1866.

To the Honorable Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has passed the following bills:

H. B. No. 2, a bill for an act to amend an act, entitled an act to Incorporate the Denver and San Luis Valley Wagon Road Company.

C. B. No. 18, a bill for an act to Incorporate the South Park, Blue River and Middle Park Wagon Road Company.

C. B. No. 19, a bill for an act amendatory of an act, entitled an act concerning Roads and Highways, approved March 11th, 1864.

Very Respectfully,

CHARLES G. COX,
Secretary of Council.

The House now went into committee of the Whole, on the General File.

After some time spent therein, the committee arose and submitted the following report:

Mr. Speaker: The committee of the Whole have had under consideration C. B. No. 14, and report the same back to the House, with the following amendments:

Amend sections 1 and 2 by striking out the word "County"

and inserting the word "Counties" wherever the word "County" occurs, and insert the word "respectively" in the seventh line of Section 1, after the word "Counties." Also, in the second line of Section 1, after the word "Pueblo" insert the words "and Huerfano."

Also, H. B. No. 21, and report the same back to the House, with the following amendments:

Amend Section 1, by inserting after the word "Representative," in the second line, "additional to the amount already allowed by the Government of the United States."

And with this amendment recommend the bill to pass.

Also, a Resolution in regard to an additional Rule of the House, and report the same back to the House, with the recommendation that it be laid on the table.

And ask leave to sit again.

H. J. GRAHAM, *Chairman.*

Mr. Hall asked leave of absence until Tuesday next.

Leave granted by the House.

On motion the House adjourned until 10 o'clock to-morrow.

THURSDAY, JANUARY 18th, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent, Messrs. Bergen, Hall, Graham, Nuckolls and Riddleberger.

Speaker announced the following additional members to the Standing Committees:

Agriculture and Manufactures:

Mr. Locke.

Military Affairs:

Mr. Grimes.

Ways and Means:

Mr. Nuckolls.

Judiciary:

Mr. Norris.

Journal of the preceding day read and approved.

Mr. Graham presented a petition from the citizens of Island Precinct, in relation to establishing a Herd Law.

Petition read and referred to committee on Agriculture and Manufactures.

Committee on Roads and Bridges, submitted the following report:

Have had H. B. No. 9 under consideration, and recommend that the word "exclusive" be stricken out, with which amendment the bill do pass.

Also H. B. No. 18, and recommend the bill do pass.

Also H. B. No. 7, and recommend that the time be inserted for which the charter shall run, and that the bill do pass.

Also, C. B. No. 5, and recommend that the bill more clearly define the location of the road, and with an additional section, which will be offered, that the bill do pass.

Also, H. B. No. 20, and recommend that the same do pass.

Also, H. B. No. 19, and recommend that the same do pass.

H. J. GRAHAM, *Chairman.*

Committee on Agriculture and Manufactures made the following report:

Mr. Speaker: Your committee have considered the following bills:

H. B. No. 15, and report the same back to the House without recommendation, other than that it be referred to a special committee.

H. B. No. 8, and recommend that the bill do pass.

H. J. GRAHAM, *Chairman.*

Report received.

Committee on Enrollment submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills have examined H. J. B. No. 1, and beg leave to report the same correctly enrolled. DAVID P. BALL, *Chairman.*

C. B. No. 19 read second time and referred to the committee on Roads and Bridges.

C. B. No. 18 read second time and referred to committee on Roads and Bridges.

Chairman Graham asked leave of absence until to-morrow.

Granted by the House.

Mr. Colvin having given previous notice, introduced

H. B. No. 23, a bill for an act to amend an act entitled an act concerning Lode Claims, approved November 7th, 1861.

Also an act to amend an act entitled an act to create a fund for the benefit of Schools, approved August 15th, 1862.

Read first and second time and referred to the committee on Mines and Minerals.

H. B. No. 17, read second time and referred to Judiciary Committee.

C. B. No. 14, read at length as amended, and amendments adopted.

And on motion, the amendments were ordered to be engrossed for third reading.

H. B. No. 21, read at length as amended, and amendments adopted.

And bill ordered engrossed for third reading.

On motion of Mr. Breath,

Mr. Hall's resolution in regard to an extra Rule of the House, was laid on the table.

H. B. No. 9, read at length.

Mr. Fosher moved to amend by striking out the word "exclusive" in section 1.

Motion lost.

Mr. Fosher moved to amend section 2, by striking out all after the word "cents" in the 10th line, and insert the following:

"For each additional two animals the sum of fifty cents, for each carriage or buggy, drawn by one animal, the sum of seventy-five cents; for every head of loose horses, mules, asses, hogs, or goats, the sum of ten cents."

On motion, section 4 was stricken out, and bill ordered engrossed as amended for third reading.

H. B. No. 18 read at length, and amended by striking out the word "reasonable," before the word "good" in second line of section 10.

On motion, leave of absence granted Mr. Johnson until Monday next.

H. B. No. 7, a bill for an act to incorporate the Colorado and New Mexico Wagon Road Company,

Read second time, and on motion of Mr. Barela,

Was indefinitely postponed.

C. B. No. 5, read second time with amendments.

Mr. Barela moved,

That the House do now adjourn until 2 o'clock, p. m.

Motion lost.

Mr. Ball moved,

To postpone the consideration of C. B. No. 5, and make it the special order of the day for next Tuesday, the 23d, at 11 o'clock, a. m.

Motion carried.

On motion of Mr. Bartells,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

House bill No. 20 read at length, with amendments as recommended by committee on Roads and Bridges.

Amendments adopted, and

Bill referred to committee on Engrossment.

House bill No. 19, read at length with amendments as recommended.

Amendments adopted, and

Bill ordered engrossed.

House bill No. 15, read, and referred to special committee of four, consisting of Messrs. Gregory, Gardner, Locke and Keys.

C. B. No. 14, a bill for an act authorizing and legalizing the transcription of the records of Pueblo County.

Read as amended,

And the question being on its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gregory, Gardner, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris and Mr. Speaker—18.

Nays, none.

So the bill passed and title amended by striking out all after the word "Pueblo," and inserting the words "and Huerfano Counties."

H. B. No. 21, a bill for an act to provide for the payment of Clerks and other officers of the Legislative Assembly.

Read at length, and the question being on its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gregory, Gardner, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris and Speaker—18.

Nays, none.

So the bill passed and title agreed to.

The House now went into committee of the Whole on General File.

Mr. Henry in the chair.

Message from the Council.

COUNCIL CHAMBER, January 18th, 1866.

To the Honorable, the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has adopted C. C. R. No. 2, a concurrent resolution to correct C. B. No. 10, in the recital of the title in section 11.

Very Respectfully,

CHARLES G. COX,
Secretary of Council.

On motion, the committee arose.

The Speaker resumed the chair, and

On motion of Mr. Bartells,

The rules were suspended for the consideration of C. C. R. No. 10, in the recital of the title in section 11.

C. C. R. No. 2 read at length, and the question being on its adoption, the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Henry, Keys, Locke, Martine, Mandragen, Norris and Speaker—18.

Nays, none.

So the resolution was adopted.

The House now went into committee of the Whole.

Mr. Henry in the chair.

After some time spent therein, the committee arose and reported progress and asked leave to sit again.

On motion, the House adjourned until 10 o'clock, a. m., tomorrow.

FRIDAY, JANUARY 19th, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent, Messrs. Bergen, Fosher, Graham, Gregory, Hall, Johnson, Norris and Nuckolls.

Quorum present.

Journal read, corrected and approved.

Judiciary committee made the following report:

Mr. Speaker: Your committee, to whom was referred H. B. No. 17, have had the same under consideration, and report the same back to the House without amendment, and recommend its passage.

J. W. HENRY, *Chairman.*

Report of Enrolling committee:

Mr. Speaker: Your committee on Enrolled Bills have had under consideration H. B's Nos. 1, 2 and 13, and beg leave to report the same as correctly enrolled.

D. J. BALL, *Chairman.*

Committee on Military Affairs submitted the following report:

The committee of Military Affairs, to whom was referred the report of the Adjutant General of the Territory, have had the

same under consideration, and respectfully recommend the passage of a bill authorizing and requiring the Territorial Auditor to issue scrip bearing date April 29th, 1865, payable five years from date, with interest at the rate of ten per cent. per annum, in payment of the officers and men of the first regiment of Colorado Volunteer Mounted Militia.

Your committee also recommend that the Adjutant General be directed to procure from Washington the papers necessary for a complete and convenient record of the military history of the officers and men of the Colorado regiments, late in the service of the United States, and transcribe the same in books designed for that purpose, and that the sum of $1,000 be appointed from the Territorial Treasury to meet such expenses as may be incurred in performing this duty. Also, that the pay of the Adjutant General of Colorado be increased to five hundred dollars per annum.

J. F. GARDNER, *Chairman.*

Committee on Engrossment reported the following:

Mr. Speaker: Your committee on engrossed bills, beg leave to report House bills Nos. 5, 9, 11, and H. J. M. No. 1, as correctly engrossed.

THOMAS KEYS, *Chairman.*

Mr. Colvin gave notice that at some future day he would introduce a resolution calling the attention of Congress to portions of the Governor's message.

Mr. Riddlebarger having given previous notice, introduced House bill No. 24, a bill for an act to dissolve the bonds of matrimony existing between Cina E. Vandyke and John Vandyke.

Mr. Ball having given previous notice, introduced H. B. No. 25, a bill for an act to dissolve the bonds of matrimony existing between Amos B. Squires, of the county of Arapahoe, and Territory of Colorado, and Nancy Squires, of the State of Kansas.

H. B's Nos. 24 and 25, read second time, and referred to committee on Incorporations.

On motion, the report on Military Affairs was laid on the table.

House bill No. 17 ordered engrossed.

House bill No. 9 read third time, and the question being on its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Grimes, Henry, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—16.

Nays, Fosher—1.

So the bill passed and title agreed to.

H. J. M. No. 2, a memorial to the Senate and House of Representatives of the United States of America,

Read third time, and the question being on its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—18.

Nays, none.

So the bill passed and the title agreed to.

The House now went into committee of the Whole on the General File.

Mr. Henry in the chair.

After some time spent therein, the committee arose.

Speaker resumed the chair.

On motion, the House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

The House went into committee of the Whole.

Mr. Henry in the chair.

After some time spent therein, the committee arose and submitted the following report:

Mr. Speaker: The committee of the Whole have had H. B. No. 22 under consideration, and have amended the same as follows:

In section 17, article 5, strike out the words "Merchants, retailers, grocers, and money changers."

Also, add to section 20, article 5, "this act shall in no way be construed so as to give authority to the city of Denver to license gambling or gambling houses."

Also, in article 7, section 3, line 5, strike out the word "disclose," and insert "declare" instead.

Also, in article 8, add to section 7 the words, "This act may be repealed, altered or amended by the Legislature at any time hereafter."

Also, in article 7, section 20, in the fifth line, strike out the word "twenty," and insert the word "fifteen" instead.

And with these amendments recommend that the bills do pass.

H. B. No. 16, and recommend the passage of the same without amendment.

J. W. HENRY, *Chairman.*

Message from the Council.

COUNCIL CHAMBER, January 19th, 1866.

To the Honorable Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable body that the Council has concurred in House amendments to C. B. No. 14, a bill for an act authorizing and legalizing the transcription of the records of Pueblo County.

Very Respectfully,

CHARLES G. COX, *Secretary.*

By permission of the House, Mr. Colvin introduced

H. B. No. 26, a bill for an act supplementary to an act entitled an act to incorporate the Canon City, Grand River and San Juan Road Company, approved Nov. 6th, 1861, read first and second time, and referred to committee on Roads and Bridges.

Mr. Breath gave notice that he would introduce a bill concerning fence owners.

Mr. Riddlebarger introduced H B. No. 27, a bill for an act to prevent the introduction of stock into certain counties of the Territory, for the purpose of grazing, and to repeal an act, entitled an act to prevent the introduction of stock into the counties of Huerfano, Pueblo, Fremont, Jefferson, Boulder and Costilla, for the purpose of grazing.

Read first and second time, and referred to committee on Agriculture and Manufactures.

Mr. Breath gave notice that he would at some future day, introduce a bill to repeal an act entitled "An act for the protection of farmers against the depredations of stock in the counties of Douglass and Weld.

On motion of Mr. Riddlebarger,

The House adjourned until 10 o'clock to-morrow.

SATURDAY, JANUARY 20th, 1866.

The House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent, Messrs. Bergen, Ball, Fosher, Gardner, Grimes, Gregory, Hall, Johnson, and Nuckolls—9.

Quorum present.

Journal read and approved.

Mr. D. J. Ball, from committee on Enrollment, reported

H. J. R. No. 1, as correctly enrolled.

Mr. Breath, from committee on Ways and Means, submitted the following report:

Mr. Speaker: Your committee beg leave to report a bill for an act making an appropriation for the payment of the members and officers of the present Legislative Assembly of the Territory of Colorado, for the year 1866, and recommend that it so pass.

S. M. BREATH, *Chairman.*

Mr. Riddlebarger, from committee on Incorporations, reported as follows:

Mr. Speaker: The committee to whom was referred H. B's Nos. 24 and 25, have considered the same and recommend their passage.

MATT RIDDLEBARGER, *Chairman.*

Mr. Colvin, from committee on Ways and Means, reported as follows:

Mr. Speaker: Your committee to whom was referred House Bill No. 28, have considered the same, and recommend its passage with the following amendments:

In section 3, in the fifth line, after the words "a section," insert the words "on either end of said lode."

Also, the following amendment to section 6: after the word "it," add "or his right to the same shall be forfeited."

B. R. COLVIN, *Chairman.*

Mr. Riddlebarger gave notice that he would on some subsequent day introduce a bill for re-districting the Territory into Council and Representative Districts.

Mr. Breath having given previous notice, introduced

H. B. No. 28, a bill for an act making an appropriation for the payment of the members and officers of the present Legislative Assembly, of the year 1866.

Mr. Dodge, having given previous notice, introduced

H. B. No. 29, a bill for an act to incorporate the Middle Park and South Boulder Wagon Road Company.

Mr. Fosher having given previous notice, introduced

H. B. No. 30, a bill for an act supplementary of an act entitled an act concerning lode claims, approved Nov. 7th, 1861.

Also, H. B. No. 31, a bill for an act to amend an act entitled an act to create a fund for the benefit of schools, approved Aug. 15th, 1862.

Mr. Riddlebarger having given previous notice, introduced

H. B. No. 32, a bill for an act legalizing the proceedings of the Probate Court of Huerfano County.

H. B. No. 28, read second time, and referred to committee on Ways and Means.

H. B. No. 29, read second time, and referred to committee on Incorporations.

H. B. Nos. 30 and 31, read second time, and referred to committee on Mines and Minerals.

H. B. No. 32, read second time, and referred to committee on Judiciary.

H. B. No. 23, referred back to committee on Mines and Minerals.

On motion, H. B's Nos. 24 and 25 were indefinitely postponed.

Message from the Council.

COUNCIL CHAMBER, January 20th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable body that the Council has passed C. B. No. 25,

A bill for an act to amend an act entitled an act to incorporate the Gold Run Tunneling Company.

C. B. No. 26, a bill for an act to amend an act entitled an act to incorporate the Pioneer Tunneling Company No. 1.

Approved November 8th, 1861.

C. C. R. No. 3, a concurrent resolution to define the term of Territorial Auditor and Territorial Treasurer.

Very Respectfully,

CHARLES G. COX,
Secretary of Council.

Mr. Keys, from committee on Engrossment, reported as follows:

Mr. Speaker: Your committee beg leaveto report H. B's Nos. 19, 8, 20, 18 and 17, as correctly engrossed.

Report received.

H. B. No. 22, taken up and considered, and the question being upon the adoption of the amendments as proposed by the committee of the Whole, the amendments were adopted with this addition to article 8, section 11:

Nothing in this act shall be so construed as to authorize the City Council to tax or license the sale of products of the Territory.

The amendments were ordered engrossed for third reading.

H. B. No. 16 read third time, and recommitted to committee on Mines and Minerals.

H. B. No. 8, an act to amend an act entitled an act to prevent the introduction of stock, for the purpose of grazing, within certain limits, approved November 6th, 1861.

Read third time, and the question being on its final passage, the ayes and nays were:

Ayes, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris, and Riddlebarger—18.

Nays, none.

So the bill passed and title agreed to.

H. B. No. 20, a bill for an act supplementary to an act concerning Roads and Highways, approved March 11, 1861,

Read third time, and the question being on its final psssage, the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris and Riddlebarger—18.

Nays, none.

So the bill passed and title agreed to.

H. B. No 18, a bill for an act to incorporate the Denver and Turkey Creek Wagon Road Company.

Read third time as amended, and the question being upon its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—18.

Nays, Mr. Ball.

So the bill passed and title agreed to.

H. B. No. 19, a bill for an act to incorporate the Hamilton and Montgomery Wagon Road Company.

Read third time, and the question being on its final passage, the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Dodge, Fosher, Gardner, Graham, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—17.

Nays, Messrs. Colvin and Ehrhart—2.

So the bill passed and title agreed to.

H. B. No. 17, a bill for an act to legalize the March term of the District Court, holden in Boulder County, A. D. 1865.

Read third time, and the question being on its final passage the ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—19.

Nays, none.

So the bill passed and title agreed to.

By permission, Mr. Gardner introduced the following resolution:

Resolved, That the committee on Agriculture be requested to obtain such information from the Treasurers of the different counties of this Territory, as shall inform the House how much tax has been collected in their respective counties from non-resident stock owners, and whether such tax has been properly accounted for, and that any information throwing light upon this subject obtained from stock owners or agents who have paid such tax, be reported for the information of the House.

On motion,

The rules were suspended, and the resolution adopted.

By permission, Mr. Norris introduced the following resolution:

Resolved, That this House will consider no more bills presented after Monday, the 23d inst.

Mr. Ball offered to amend by saying "of a private nature."

Mr. Fosher moved,

To amend by saying from this date.

Mr. Riddlebarger moved,

To lay resolutions and amendments on the table, which motion carried.

Mr. Bartells offered the following resolution:

Resolved, That after the 1st of February there shall be no private business transacted in this House.

On motion of Mr. Graham,

The rules were suspended, and

C. C. R. No. 3,

A concurrent resolution to define the term of Territorial Auditor and Territorial Treasurer, was taken up and put on its final passage.

The ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—19.

Nays, none.

So the resolution was adopted.

On motion,

The House adjourned until Monday at 10 o'clock, a. m.

MONDAY, JANUARY 22nd, 1866.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent, Messrs. Bergen, Graham, Gregory, Hall, Henry, Johnson, Nuckolls and Riddlebarger—8.
Quorum announced.
Journal read and approved.
Message from the Council.

COUNCIL CHAMBER, January 22, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council passed, on the 20th inst., C. B. No. 30, a bill for an act to amend an act entitled an Act concerning Attorneys and Counselors at Law.

Very Respectfully,
CHARLES G. COX,
Secretary of the Council.

A petition was presented from the people of Boulder, in relation to a special tax levied for school purposes.

Read and referred to committee on Judiciary.

Mr. Ball presented a petition from the citizens of Colorado Territory, in relation to mineral lodes.

Petition read and referred to committee on Mines and Minerals.

Mr. Riddlebarger, from committee on Incorporations, reported as follows:

Mr. Speaker: Your committee beg leave to report, that they have considered H. B. No. 29, an Act to incorporate the Middle Park and South Boulder Wagon Road Company, and recommend its passage without amendment.

MATT. RIDDLEBARGER, *Chairman.*

Mr. Henry, from committee on Judiciary, reported as follows:

Mr. Speaker: Your committee to whom was referred H. B. No. 32, a bill for an Act to legalize the proceedings of the Probate Court of Huerfano county, have considered the same, and recommend it back to the House, and that it pass without amendment.

J. W. HENRY, *Chairman.*

C. B. No. 25, read second time and referred to committee on Incorporations.

C. B. No. 26, read second time and referred to committee on Incorporations.

Mr. Breath, from committee on Ways and Means, reported as follows:

Mr. Speaker: Your committee to whom was referred H. B. No. 28, have had the same under consideration, and recommend its passage without amendment.

S. M. BREATH, *Chairman.*

Mr. Ball, from committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills have this day presented to His Excellency the Governor the following bills for his approval, to-wit: H. B. No. 1, a bill for an act to amend an act entitled, an Act to incorporate the Denver and Pacific Wagon Road Company, approved March 10th, 1864.

H. B. No. 2, an act to amend an act entitled, an Act to incorporate the Denver and San Luis Valley Wagon Road Company.

H. B. No. 13, an act amendatory of an act entitled, an Act regulating Elections, approved November 6th, 1864.

H. J. M. No. 1, a bill for a joint memorial to the Congress of the United States, asking for the establishment of a mining bureau within the limits of the Territory of Colorado.

Joint resolution, concurring in the resolutions adopted at a mass convention held at Central City, January 8th, 1866.

DAVID J. BALL, *Chairman.*

By permission, Mr. Breath introduced

H. B. No. 33, a bill for an Act to incorporate the Ni Wat and Black Hawk Wagon Road Company.

Read first and second time, and referred to committee on Roads and Bridges.

Mr. Riddlebarger, having given previous notice, introduced

H. B. No. 34, a bill for an Act to survey and locate portions of the boundary line between the counties of Pueblo, Huerfano and Fremont.

Read first and second time, and referred to committee on Counties and County Lines.

Mr. Gardner, having given previous notice, introduced

H. B. No. 35, a bill for an act to repeal an act entitled, an Act for the protection of farmers against the depredations of stock in Douglass and Weld counties, approved March 11th, 1864.

Also, an act to amend an act entitled, an Act for the protection of farmers against the depredations of stock in Douglass and Weld counties, approved February 10th, 1865.

Read first and second time, and referred to committee on Agriculture and Manufactures.

H. B. No. 29,

Read at length, and on motion was referred to the committee of the Whole.

H. B's Nos. 28 and 32,

Read at length, and ordered engrossed for third reading.

H. B. No. 22, a bill for an Act to reduce the law incorporating the City of Denver, and the several acts amendatory thereof, into one act, and to amend the same, taken up and considered and the amendments adopted,

And the question being on the final passage,

The ayes and nays were:

Ayes, Messrs. Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Keyes, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker —19.

Nays, none.

So the bill passed and the title agreed to.

By permission, the committee on Roads and Bridges submitted the following report:

Mr. Speaker: Your committee beg leave to report that they have considered C. B's Nos. 18 and 19, and H. B. No. 26, and recommend that they do pass.

H. J. GRAHAM, *Chairman.*

Committee on Agriculture reported

H. B. No. 35, with recommendation that it pass.

The House went into committee of the Whole on the General File.

After a short time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee of the Whole have had C. B. No. 18 under consideration, and have made some progress, and ask leave to sit again.

H. J. GRAHAM, *Chairman.*

By permission of the House, Mr. Breath introduced

H. B. No. 36, a bill for an Act concerning Fence Viewers.

Also,

The following resolution:

Resolved, That the committee on Military Affairs be requested to present a bill for an Act to provide for the payment of persons having horses pressed into the service of the First Colorado Militia.

Resolution read, and referred to Committee on Military Affairs.

On motion,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

House went into committee of the Whole.

Mr. Graham in the chair.

After some time spent therein, the committee rose and reported as follows:

Mr. Speaker: The committee of the Whole House have had C. B. No. 18 under consideration, read the bill at length, amended sections 6 and 8, and with the amendments recommend that the bill do pass.

C. B. No. 19, and recommend that it pass without amendments.

H. B's Nos. 26 and 35, and recommend their passage without amendments.

H. B. No. 29, and report the same back with the recommendation that it be referred to the committee on Roads and Bridges, and they be requested to report a new section for section 13.

H. J. GRAHAM, *Chairman.*

By permission of the House, Mr. Breath introduced

H. B. No. 37, a bill for an act to incorporate the South Boulder and Dry Creek Irrigating Ditch Company.

Read first and second time, and referred to committee on Incorporations.

Mr. Ball, from committee on Ways and Means, reported as follows:

Mr. Speaker: Your committee to whom was referred H. B. No. 34, have had the same under consideration, and refer the same back to the House without recommendation.

D. J. BALL, *Chairman.*

Committee on Federal Relations reported as follows:

Mr. Speaker: Your committee to whom was referred H. B. No. 10, beg leave to report that they have considered the same, and refer it back to the House without recommendation.

FRANK HALL, *Chairman.*

By permission of the House, Mr. Colvin introduced H. C. R. No. 1, a concurrent resolution.

Mr. Ball moved to lay the resolution on the table.

Motion lost.

Mr. Dodge moved it be indefinitely postponed.

Motion lost.

Mr. Riddlebarger moved to adjourn.

Motion withdrawn.

Mr. Colvin called for the previous question.

Carried,

And on motion the rules were suspended, and

Resolution read first and second time, and referred to committee on Federal Relations.

On motion,

The House adjourned until 10 o'clock, a. m., to-morrow.

TUESDAY, JANUARY 23d, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent—Messrs. Bartells, Graham, Gregory and Hall.

Quorum present.

Journal read and approved.

Mr. Hall appeared and took his seat.

Mr. Colvin presented a petition from the people, asking a reduction of the rates of recording lodes.

Petition read, and referred to committee on Mines and Minerals.

Mr. Riddlebarger, from committee on Incorporations, reported as follows:

Mr. Speaker: Your committee have considered C. B. No. 35, a bill for an act to amend an act to incorporate the Gold Run Tunnel Company, approved November 8th, 1861.

Also, C. B. No. 26, a bill for an act to amend an act to incorporate the Pioneer Tunneling Company No. 1, approved November 8th, 1861.

And recommend them to the House for consideration, together with the accompanying petition.

MATT. RIDDLEBARGER, *Chairman.*

Mr. Henry, from committee on Judiciary, reported as follows:

Mr. Speaker: Your committee on Judiciary, to whom was referred that portion of the Governor's Message in relation to the Supreme Court,

And also a petition from the citizens of Pueblo county, asking for a special term of the District Court,

Have had the same under consideration, and ask leave to report the following bill:

An act concerning the practice in the District and Probate Courts, and to provide for a term of the Supreme Court, and for other purposes.

J. W. HENRY, *Chairman.*

Report received.

C. B. No. 38,

A bill for an act concerning the practice in the District and Probate Courts, and to provide for a term of the Supreme Court, and for other purposes.

Read first and second time, and referred to committee of the Whole.

C. B. No. 18,

Taken up and considered with amendments.

Amendments adopted, and ordered engrossed for third reading.

H. B. No. 26,

Read, and ordered engrossed for third reading.

The time having arrived for the consideration of,

C. B. No. 5,

On motion,

It was referred, and made the special order for 3 o'clock, p. m.

On motion,

The House adjourned until 3 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

House went into committee of the Whole.

Mr. Riddlebarger in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee of the Whole have had under consideration C. B. No. 5, an act to incorporate the Overland Wagon Road Company, and recommend its passage, with the following amendment:

In section 12, after the word "authority," in the first line, insert, "after one year from the completion of said road."

Also, strike out the word "reasonable" wherever it occurs in sections 16 and 17.

Also, by adding an additional section, 19.

MATT. RIDDLEBARGER, *Chairman.*

Message from the Council.

COUNCIL CHAMBER, January 23d, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has passed the following bills:

H. B. No. 5, a bill for an act to incorporate the Arkansas River and St. Charles Ditch and Irrigating Company.

H. B. No. 9, a bill for an act granting the exclusive right to Thomas Suttells, of Pueblo, to establish a ferry across the Arkansas River at the town of Pueblo.

H. B. No. 11, a bill for an act for the relief of the Arkansas Valley Ditch and Irrigating Company.

C. B. No. 31, a bill for an act to incorporate the Cache-a-la-Poudre River Bridge Company, and

C. B. No. 32, a bill for an act to incorporate the Holladay Overland Mail and Express Company.

Very Respectfully,

CHARLES G. COX,
Secretary of the Council.

Mr. Mandragen moved to adjourn.

Motion lost.

H. B's Nos. 34 and 35,

Read, and ordered engrossed for third reading.

H. B. No. 29,

Taken up for consideration.

On motion of Mr. Ball,

The House adjourned until 10 o'clock, a. m., to-morrow.

WEDNESDAY, JANUARY 24th, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent, Messrs. Bartells, Ball, Colvin, Dodge, Grimes, Gregory and Hall.

Quorum present.

Mr. Breath was granted leave of absence, on account of sickness in his family.

Journal read and approved.

Committee on Printing made a verbal report, to the effect that the reports of the Territorial officers would be ready for distribution to-morrow.

Mr. Keys, from committee on Engrossment, reported as follows:

Mr. Speaker: Your committee beg leave to report H. B's Nos. 26, 28 and 32, as correctly engrossed.

THOMAS KEYS, *Chairman.*

Sergeant-at-Arms announced two Messages from the Governor.

EXECUTIVE DEPARTMENT, Denver, January 23d, 1866.

To the Legislative Assembly of Colorado Territory:

I have the honor to transmit herewith a petition of a committee of colored citizens of this Territory, on the subject of a law passed by the Legislative Assembly during its session of 1864, by which they were deprived of their rights to vote.

The Organic Act provided that every free white male citizen of the United States, of the age of twenty-one years, including those recognized as citizens by the treaties with Mexico, shall be entitled to vote at the first election. *But that qualification of voters, at all subsequent elections, shall be such as shall be prescribed by the Legislative Assembly.*

Under the authority conferred by the foregoing section, the Legislative Assembly at its first session, in a spirit of liberality that did them honor, passed a law regulating elections, approved November 6th, 1861, providing that every male person of the age of twenty-one years and upwards, who shall have resided in the Territory for three months next preceding any election, shall be deemed a qualified voter.

The Legislative Assembly, at its session of 1864, passed an act, approved March 11th, 1864, amending the foregoing section by inserting, after the word "upwards," the words, "not being a negro or mulatto," so as to make it read, "every male person of the age of twenty-one years and upwards, not being a negro or mulatto, * * * shall be deemed a qualified voter."

It seems incredible, and were it not for the record, it would be incredible that such a measure could have been adopted at such a time.

The colored people at that moment were everywhere eagerly

pushing forward to the support of the Government, and their services were as gladly accepted. They contributed largely to the triumph of the nation over the rebellion; and just at that darkest period of our country's history, when they were doing their utmost to rescue the Government from its imminent danger, this wrong was perpetrated upon them.

It is a fact worthy of notice, that this was the only case in the whole nation where public sentiment retrograded during our fearful struggle.

This petition, in the hand-writing of one of the signers, evinces an ability to exercise intelligently the right of suffrage, which it would be well if all who enjoy that right could imitate.

I invoke your earnest attention to this subject, and I h for the honor of the Territory, that you will promptly t action to erase this odious record from the statute-book.

In connection with this subject, I deem it proper to say that the Legislative Assembly owes it to the enlightened s ment of the country to take into consideration the conditio the colored people with regard to the public schools. U the law of 1861, offering them equal political privileges others, they came here in considerable numbers, and to equal if not greater extent than any other class of emigran the Territory. As I am informed, they brought their fam and have kept them here.

The evidences of their industry, frugality and thrift ar be seen in various parts of the city of Denver, some of finest properties in town belonging to them. They are sub to the tax laid for the support of common schools, while t children are not permitted to attend them. In consequenc this exclusion from the public and private schools, som these people have been compelled to send their children to Eastern States to be educated, while paying the taxes for ed tion in the Territory.

But all are not able to incur the expense, and the neces consequence of this is that many of their children must g up in ignorance.

This is but one of the forms, or at least one of the feat of the accursed system of slavery, from whose thraldom nation has just emerged, by which the children of one man educated at the expense of another.

I do not propose, in this communication, to discuss the q tion of equality of races, about which so many words and much labor have been wasted; but I submit, without argum the fact that the colored people in Denver and various part the Territory are taxed to pay for educating white child while their own children are excluded from the public scho

and your action will determine how long this humiliating spectacle shall be presented to the world.

Justice to the living, and gratitude to those who died that the nation might live, forbid that this state of things, against which these petitioners protest, should longer prevail.

I only perform my duty in calling your attention to these subjects; for the rest the responsibility is with you.

I am, Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Territory.

EXECUTIVE DEPARTMENT, January 24th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, which are certified to have originated in the House of Representatives:

An act to amend an act entitled, An act to incorporate the Denver and San Luis Valley Wagon Road Company.

An act amendatory of an act entitled, An act Regulating Elections, approved November 6th, 1861.

A bill for a Joint Memorial to the Congress of the United States, asking for the establishment of a Mining Bureau within the limits of Colorado Territory.

Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Territory.

Report received,

And on motion, referred to committee on Elections.

Mr. Locke gave notice that he would at some future time introduce

A bill changing the Eastern boundary of Fremont County, and defining the same.

Mr. Nuckolls gave notice that he would at some future day introduce

A bill to incorporate the Mining Board of Gilpin County.

Also, a bill to incorporate the Rocky Mountain Lodge No. 2, of the Independent Order of Odd Fellows.

Mr. Colvin gave notice that at some future day he would introduce

A resolution in reference to appointing a commissioner to codify the Laws of Colorado Territory.

H. J. R. No. 3,

A resolution in relation to Mails on the Overland Route.

Read first and second times, and referred to committee on Federal Relations.

C. B. No. 31,

Read second time, and referred to committee on Roads and Bridges.

C. B. No. 32,

Read second time, and referred to committee on Incorporations.

Mr. Johnson introduced

H. B. No. 39, a bill for an act to incorporate the Boulder and Weld County Ditch Company.

Mr. Gardner introduced

H. B. No. 40, a bill for an act to amend an act entitled, An act concerning Fences.

H. B's Nos. 39 and 40,

Read second time, and referred to committee on Agriculture and Manufactures.

H. B. No. 29,

A bill for an act to incorporate the Middle Park and South Boulder Wagon Road Company,

Was considered, amended, and ordered engrossed for third reading.

C. B. No. 5

Was taken up for consideration.

Amendments recommended by the committee of the Whole were

Adopted,

And amendments ordered engrossed for third reading.

C. B. No. 18,

A bill for an act to incorporate the South Park, Blue River and Middle Park Road Company,

Was read a third time, and

The question being upon its final passage,

The ayes and nays were:

Ayes, Messrs. Ball, Barela, Colvin, Ehrhart, Fosher, Graham, Gardner, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Speaker—17.

Nays, Messrs. Bergen, Dodge and Grimes—3.

So the bill passed, and the title agreed to.

H. B. No. 26,

A bill for an act supplementary to an act entitled, An act to incorporate the Canon City, Grand River and San Juan Wagon Road Company.

Read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Speaker—19.

Nays, Mr. Ball—1.

H. B. No. 28,

A bill for an act making an appropriation for the payment of the Members and Officers of the present Legislative Assembly of the year 1866,

Was read at length, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—21.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 32,

A bill for an act legalizing the proceedings of the Probate Court of Huerfano county,

Was read the third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—20.

Nays, none.

So the bill passed, and the title agreed to.

The House then went into committee of the Whole.

Mr. Nuckolls in the chair.

After some time spent therein, the committee rose, and

Submitted the following report:

Mr. Speaker: The committee of the Whole have had under consideration a resolution for cutting off all private business after a certain time,

And report the same back, with the recommendation that it be laid on the table.

Also, H. B. No. 38,

And report the same back to the House, with the recommendation that it do pass.

C. NUCKOLLS, *Chairman.*

On motion, the House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.
Speaker in the chair.
Mr. Keys, from committee on Engrossment, made the following report:

Mr. Speaker: Your committee beg leave to report the amendments to C. B. No. 5, as correctly engrossed.

THOMAS KEYS, *Chairman.*

Mr. Ball moved,
That C. B. No. 5,
A bill for an act to incorporate the Overland Wagon Road Company,
Be read third time, and put upon its final passage.
Carried.
The bill was read and considered.
The ayes and nays were:
Ayes, Messrs. Bergen, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—21.
Nays, none.
So the bill passed and title agreed to.
On motion,
The House adjourned until 10 o'clock, to-morrow.

THURSDAY, JANUARY 25th, 1866.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the Chaplain.
Roll called.
Absent, Messrs. Breath, Graham, Martine and Riddlebarger.
Quorum present.
Journal read and adopted.
Committee on Engrossment submitted the following report:

Mr. Speaker: Your committee beg leave to report H. B's Nos. 34 and 35 as correctly engrossed.

THOMAS KEYS, *Chairman.*

Committee on Enrollment submitted the following report:

Mr. Speaker: Your committee have presented to His Excellency, the Governor, the following bills for his approval:

H. B. No. 5,

An act to incorporate the Arkansas River and St. Charles Ditch and Irrigating Company.

H. B. No. 9,

An act granting the exclusive right to Thomas Suttells to establish a ferry across the Arkansas River at the town of Pueblo.

H. B. No. 11,

An act for the relief of the Arkansas Valley Ditch and Irrigating Company.

Respectfully submitted.

D. J. BALL, *Chairman.*

Report of committee on Agriculture:

Mr. Speaker: Your committee have had under consideration C. B. No. 16,

And report the same back to the House with the recommendation that it pass without amendment.

H. J. GRAHAM, *Chairman.*

Also, your committee have had under consideration,

H. B's Nos. 40, 39 and 36,

And report them back to the House with the recommendation that they pass without amendment.

H. J. GRAHAM. *Chairman.*

Mr. Bartells gave notice that he would on some subsequent day introduce

A bill for an act to incorporate Union Lodge No. 1, I. O. O. F., Denver.

Mr. Martine introduced

H. J. R. No. 4,

A joint resolution to translate laws of A. D. 1865 and '66 into the Spanish language,

Read first and second times, and referred to committee on Federal Relations.

Sergeant-at-Arms announced the following message from the Council:

COUNCIL CHAMBER, January 25th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:

H. B. No. 12,

A bill for an act to amend section 16 of an act entitled, An act fixing the compensation of members of the Legislative Assembly and other officers of Colorado Territory, approved Feb. 10th, 1865.

C. B. No. 24,

A bill for an act to incorporate the American Exploring Company of Philadelphia.

C. B. No. 29,

A bill for an act to provide for the payment of the officers and men of the First Regiment Colorado Mounted Militia.

C. B. No. 35,

A bill for an act to change the name of Seneca L. Page to Harry Richmond.

The same are herewith transmitted.

Also, H. B. No. 21,

A bill for an act to provide for the payment of the Clerks and other officers of the Legislative Assembly.

Amended in the last line but two of section 3, by the introduction of the word "for" after the word "days," and by the addition of a section to be called section 4, thereto appended, and herewith transmitted.

Very Respectfully,

CHARLES G. COX,
Secretary of Council.

COUNCIL CHAMBER, January 24th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has concurred in House amendments to

C. B's Nos. 5 and 18.

Also, that we have passed

C. B. No. 37,

A bill for an act to provide for the military record of Volunteer Troops of Colorado.

Also return

C. B. No. 26,

A bill for an act to amend An act to incorporate the Pioneer Tunneling Company No. 1, approved Nov. 8th, 1861.

Properly drawn.

Very Respectfully,

CHARLES G. COX,
Secretary of Council.

Mr. Nuckolls gave notice that he would on to-morrow, or some subsequent day, introduce

A bill for an act to amend an act entitled, An act to incorporate the City of Central.

C. B. No. 24,

Read second time and referred to committee on Incorporations.

C. B's Nos. 29 and 37,

Read second time, and referred to committee on Military Affairs.

C. B. No. 35,

Read second time, and referred to committee on Ways and Means.

C. B. No. 36,

Read second time and referred to committee on Federal Relations.

Mr. Johnson having given previous notice, introduced

H. B. No. 41,

A bill for an act to incorporate the Coal Creek and Black Hawk Wagon Road.

Mr. Nuckolls having given previous notice, introduced

H. B. No. 42,

A bill for an act to incorporate Rocky Mountain Lodge No. 2, I. O. O. F.

Also, H. B. No. 43,

An act to amend An act to incorporate the City of Central.

Mr. Locke having given previous notice, introduced

H. B. No. 44,

A bill for an act to change and locate the boundary lines of Fremont County.

Mr. Fosher having given previous notice, introduced

H. B. No. 45,

A bill for an act to divide the Territory of Colorado into Judicial Districts, and to provide for the holding of Courts in the same.

H. B's Nos. 41, 42, and 43,

Read second time, and referred to committee on Incorporations.

H. B. No. 44,

Read second time, and referred to committee on Counties and County Lines.

H. B. No. 45,

Read second time, and referred to committee of the Whole.

H. B's Nos. 39 and 40,

Ordered engrossed for third reading.

On motion,

H. B. No. 36,

A bill for an act concerning fence viewers, was referred to committee of the Whole.

C. B. No. 16,

A bill for an act to amend an act amendatory of An act relating to Fences, approved March 11th, 1864,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—23.

Nays, none.

So the bill passed, and the title agreed to.

C. B. No. 26,

A bill for an act to amend An act to incorporate the Pioneer Tunneling Company No. 1, approved November 8th, 1861,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—23.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 34,

A bill for an act to survey and locate portions of the Boundary Lines between the counties of Pueblo, Huerfano and Fremont,

Was taken up and considered, and

On motion,

Was referred to the committee on Counties and County Lines, with instructions to furnish a substitute bill.

On motion,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

H. B. No. 35,

A bill for an act to repeal an act entitled, An act for the Protection of Farmers against the depredations of stock, in the counties of Douglass and Weld, approved March 11th, 1864.

Also, an act approved February 10th, 1865.

Read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Gregory, Hall, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Speaker—19.

Nays, none.

So the bill passed, and the title agreed to.

Amendments to H. B. No. 21

Were taken up, and

On motion,

The House concurred in amendments, and

The bill was given to the Enrollment committee.

Committee on Engrossment reported

H. B's Nos. 29 and 38

As correctly engrossed.

On motion,

H. B. No. 29,

An act to incorporate the Middle Park and South Boulder Wagon Road Company,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Speaker—19.

Nays, Mr. Fosher—1.

So the bill passed, and the title agreed to.

H. B. No. 38,

A bill for an act concerning the Practice in the District and Probate Courts, and to provide for a Term of the Supreme Court, and for other purposes,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Grimes, Gregory, Hall, Johnson, Keys, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—19.

Nays, Messrs. Fosher and Graham—2.

Mr. Locke was excused.

So the bill passed, and the title agreed to.

On motion,

Mr. Bartells' resolution was taken from the table and considered

Resolved, That after the first day of February, this House will not permit the introduction of any resolutions or acts of a private nature.

Mr. Graham moved to amend by saying, "unless by consent of the House."

Mr. Riddlebarger moved that the resolution, with amendment, be indefinitely postponed.

Carried.

Mr. Fosher introduced the following resolution:

Resolved, That this House will consider no bills of a public nature on and after this day.

On motion, the resolution was indefinitely postponed.

The House then went into committee of the Whole on the General File.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: Your committee of the Whole have had under consideration H. B. No. 45, and report it back with the recommendation that it be indefinitely postponed.

Also, H. B. No. 36, and recommend that it be laid on the table.

WILLIAM LOCKE, *Chairman.*

Report received.

Mr. Riddlebarger, from the committee on Incorporations, reported as follows:

Mr. Speaker: Your committee have considered C. B. No. 32, an act to incorporate the Holladay Overland Mail and Express Company, and recommend its passage without amendment.

MATT. RIDDLEBARGER, *Chairman.*

Mr. Hall, from the committee on Federal Relations, reported as follows:

Mr. Speaker: Your committee, to whom was referred H. J. R. No. 3, have had the same under consideration, and respectfully offer the accompanying resolution as a substitute, with the recommendation that it do pass.

FRANK HALL, *Chairman.*

Mr. Ball, from the committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee have examined H. B. No. 12, and beg leave to report the same as correctly enrolled.

DAVID J. BALL, *Chairman.*

Mr. Ball gave notice that he would, to-morrow or some subsequent day, introduce

A bill for an act to establish the County of Lincoln, and locate the boundaries thereof.

H. B. No. 45,

Taken up for consideration, and referred to the committee on Judiciary.

On motion,

H. B. No. 36

Was laid on the table.

Mr. Graham presented a petition from the citizens of Arapahoe county, asking for a Herd Law.

Petition read, and referred to the committee on Agriculture.

Mr. Fosher gave notice that he would on some future day introduce

A bill for an act giving District Judges additional fees.

Committee on Roads and Bridges reported back

H. B. No. 31,

Without amendment, and recommended its passage.

Mr. Ball, from the committee on Enrollment, reported as follows:

Mr. Speaker: Your committee on Enrolled Bills have examined H. B. No. 21, and beg leave to report the same correctly enrolled.

DAVID J. BALL, *Chairman.*

On motion,

The House adjourned until 10 o'clock to-morrow.

FRIDAY, JANUARY 26TH, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent, Messrs. Fosher and Locke.

Quorum present.

Journal read and approved.

Mr. Riddlebarger, from committee on Incorporations, made the following report:

Mr. Speaker: Your committee has had under consideration H. J. R. No. 4, a joint resolution to translate the Laws of 1865 and 1866 into the Spanish language.

Also, H. B. No. 41, an act to incorporate the Coal Creek and Black Hawk Wagon Road Company.

Also, H. B. No. 42, an act to incorporate the Rocky Mountain Lodge No. 2, of the Independent Order of Odd Fellows.

Also, C. B. No. 24, an act to incorporate the American Exploring Company of Philadelphia.

Also, H. B. No. 43, an act to amend an act entitled, An act to incorporate the City of Central.

And respectfully recommend their passage.

MATT. RIDDLEBARGER, *Chairman.*

Mr. Ball, from the committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee have presented to His Excellency, the Governor, the following bills for his approval:

H. B. No. 12, an act to amend section 16 of an act entitled, An act fixing the compensation of Members of the Legislative Assembly, and other Officers of Colorado Territory.

H. B. No. 21, an act to provide for the payment of Clerks and other Officers of the Legislative Assembly of Colorado Territory.

Respectfully Submitted,

D. J. BALL, *Chairman.*

Mr. Keys, from the committee on Engrossment, made the following report:

Mr. Speaker: Your committee beg leave to report H. B's Nos. 39 and 40 as correctly engrossed.

THOMAS KEYS, *Chairman.*

Mr. Graham, from the committee on Agriculture, submitted the following report:

Mr. Speaker: Your committee, in accordance with a resolution requesting them to report upon the operation of an act providing for the collection of taxes from non-resident stockowners, approved March 11th, 1864, would submit the following:

That we have been unable to learn of any sum of money, so paid into the treasury of Arapahoe county, being accounted for; and the small amount that was paid into the treasury of Weld county, and placed to the credit of the county, did not agree with the large amount believed by the citizens to have been so paid in.

Therefore it is evident that the law is calculated to benefit

individuals only, instead of replenishing the treasury; and that the law has been so construed as to require the citizens of one county, wintering their stock in another, to pay fifty cents per head upon the same, thereby taxing them the second time during the same fiscal year upon the same property.

Therefore your committee would recommend the above-named law be repealed.

H. J. GRAHAM, *Chairman.*

Mr. Gregory, from Special committee, submitted the following report:

Mr. Speaker: Your Special committee, to whom was referred H. B. No. 15, have had the same under consideration, and ask leave to offer a substitute.

DAVID GREGORY, *Chairman.*

On motion,

Mr. Fosher was excused for to-day.

The Sergeant-at-Arms announced the following Message from the Council:

COUNCIL CHAMBER, January 26th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform the House that the Council has passed the following bills:

C. B. No. 23, a bill granting the exclusive right to William Craig to erect and maintain a Toll-Bridge across the Arkansas River.

C. B. No. 27, a bill for an act to provide for the Registration of Votes.

C. B. No. 33, a bill for an act to regulate Ditches used for farming purposes, in the counties of Costilla and Conejos.

C. B. No. 34, a bill for an act for the Relief of W. S. Walker, of Summit county.

H. B. No. 8, a bill for an act to amend an act entitled, An act to prevent the Introduction of Animals, for the purpose of Grazing, within certain counties, approved November 6th, 1865.

H. B. No. 17, a bill for an act to Legalize the March Term of the District Court, holden at Boulder county, A. D. 1865.

H. B. No. 18, a bill for an act to incorporate the Denver and Turkey Creek Wagon Road Company, amended, and amendments engrossed and attached to bill.

H. B. No. 19, a bill for an act to incorporate the Hamilton and Montgomery Wagon Road Company.

H. B. No. 40, a bill for an act supplementary to an act concerning Roads and Highways, approved March 11th, 1861.

All of which are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

C. B. No. 23,

Read second time, and referred to the committee on Incorporations.

C. B. No. 27,

Read second time, and referred to the committee on Elections and Apportionments.

C. B. No. 33,

Read second time, and referred to the committee on Agriculture.

C. B. No. 34,

Read second time, and referred to the committee on Ways and Means.

Mr. Ball, having given previous notice, introduced

H. B. No. 46,

A bill for an act to establish the County of Lincoln, and to locate the boundaries thereof.

Mr. Nuckolls, having given previous notice, introduced

H. B. No. 47,

A bill for an act to incorporate the Mining Board of Gilpin County.

Mr. Graham, having given previous notice, introduced

H. B. No. 48,

A bill for an act to repeal an act entitled, An act to provide for the Collection of Tax from Non-Resident Stock-Owners, approved March 11th, 1864.

H. J. R. No. 5, a resolution relating to the Codifying of the Laws,

Was read second time, and referred to the committee on Judiciary.

H. B's Nos. 46 and 48,

Read second time, and referred to the committee of the Whole.

H. B. No. 47,

Read second time, and referred to the committee on Mines and Minerals.

H. J. R. No. 3,

A joint resolution relating to the Overland Mail,

Was reported on favorably by the committee on Federal Relations, and

Referred to the committee of the Whole.

H. B's Nos. 41 and 42,

Ordered engrossed for third reading.

H. B. No. 39,

A bill for an act to incorporate the Boulder and Weld County Ditch Company,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—20.

Nays, none.

So the bill passed, and the title agreed to.

On motion,

H. B. No. 43,

A bill for an act to amend an act to incorporate the City of Central,

Was considered, engrossed, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—21.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 40,

A bill for an act to amend an act entitled, An act concerning Fences,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—21.

Nays, none.

So the bill passed, and the title agreed to.

On motion,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

House went into committee of the Whole on the General File.

Mr. Gardner in the chair.

After some time spent therein, the committee rose and Submitted the following report:

Mr. Speaker: The committee of the Whole have had H. J. R. No. 3 under consideration, and report the same back with the recommendation that it pass with the following amendments:

Strike out the word "printed," in section 2, and insert in lieu thereof the word "mail."

Also, H. B. No. 46, and recommend it back to the House to be laid on the table.

Also, H. B. No. 48, and C. B's Nos. 32 and 37, and recommend them to the House to pass without amendment.

J. F. GARDNER, *Chairman.*

Report received.

Mr. Ball, from the committee on Enrollment, reported as follows:

Mr. Speaker: Your committee on Enrolled Bills have examined H. B's Nos. 8, 17, 19 and 20, and beg leave to report the same correctly enrolled.

D. J. BALL, *Chairman.*

Also,

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following bills for his approval, to wit:

H. B. No. 8, an act to amend an act entitled, An act to prevent the Introduction of Animals for the purpose of Grazing within certain limits, approved November 6th, 1864.

H. B. No. 17, an act to Legalize the March Term of the District Court holden in Boulder county, A. D. 1865.

H. B. No. 19, an act to incorporate the Hamilton and Montgomery Wagon Road Company.

H. B. No. 20, an act supplementary to an act concerning Roads and Highways, approved March 11th, 1864.

Very Respectfully,

D. J. BALL, *Chairman.*

Mr. Speaker: Your committee, to whom was referred C. B. No. 34, have had the same under consideration, and respectfully recommend that it be referred to the committee of the Whole.

FRANK HALL, *Chairman.*

The Sergeant-at-Arms announced the following

Message from the Governor:

EXECUTIVE DEPARTMENT, Denver, January 27th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, certified to have originated in that body:

An act to provide for the payment of Clerks and other Officers of this Legislative Assembly.

An act to amend section 16 of an act entitled, An act fixing the Compensation of Members of the Legislative Assembly, and other Officers of Colorado Territory, approved February 10th, 1865.

A joint resolution in relation to a Memorial to Congress, on the subject of Legislation affecting Mining Interests.

An act granting the exclusive right to Thomas Suttells, of Pueblo, to establish and maintain a Ferry across the Arkansas River at the town of Pueblo.

Respectfully,

ALEXANDER CUMMINGS,
Governor of Colorado Territory.

On motion,

The House adjourned until 10 o'clock, a. m., to-morrow.

SATURDAY, JANUARY 27th, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Journal read and approved.

Mr. Fosher presented a petition from the citizens of Summit county, in relation to School Claims.

Petition read, and referred to the committee on Mines and Minerals.

Mr. Graham presented a petition from the citizens of Jefferson county, asking for a Herd Law.

Petition read, and referred to the committee on Agriculture.

Mr. Colvin, from the committee on Mines and Minerals, reported as follows:

Mr. Speaker: Your committee, to whom was referred H. B. No. 47, have had the same under consideration, and report it

back to the House and recommend that it pass without amendment.

B. R. COLVIN, *Chairman.*

Report received.

Mr. Keys, from the committee on Engrossment, reported as follows:

Mr. Speaker: Your committee beg leave to report H. B's Nos. 41 and 42 as correctly engrossed.

THOMAS KEYS, *Chairman.*

Report received.

Mr. Henry, from the committee on Judiciary, reported as follows:

Mr. Speaker: Your committee, to whom was referred C. B. No. 30, have had the same under consideration, and report it back to the House with an amendment thereto attached, and recommend that it do pass.

J. W. HENRY, *Chairman.*

Report received.

Mr. Hall, from the committee on Federal Relations, reported as follows:

Mr. Speaker: Your committee, to whom was referred C. B. No. 36, have considered the same, and recommend its passage.

Also, H. B. No. 14, and respectfully offer the accompanying substitute.

Also, C. B. No. 35, and recommend that it be referred to the committee of the Whole.

FRANK HALL, *Chairman.*

Mr. Riddlebarger, from the committee on Incorporations, reported as follows:

Mr. Speaker: Your committee have examined C. B. No. 23, an act granting the exclusive right to William Craig to erect and maintain a Toll-Bridge across the Arkansas River, and recommend its passage by inserting "twenty years" in lieu of "ten years."

MATT. RIDDLEBARGER, *Chairman.*

Mr. Gardner, from the committee on Military Affairs, reported as follows:

Mr. Speaker: Your committee have had H. B. No. 29 under consideration, and recommend its passage without amendment.

J. F. GARDNER, *Chairman.*

Mr. Graham, from the committee on Agriculture, reported as follows:

Mr. Speaker: Your committee have had under consideration H. B. No. 27 and C. B. No. 33, and recommend that they be referred to a committee of the Whole.

H. J. GRAHAM, *Chairman.*

Mr. Bartells, from the committee on Elections and Apportionments, submitted the following:

Mr. Speaker: Your committee, to whom was referred C. B. No. 27, have considered the same, and recommend its passage without amendment.

L. F. BARTELLS, *Chairman.*

Mr. Ball, from the committee on Counties and County Lines, submitted the following:

Mr. Speaker: Your committee have examined H. B. No. 34, and refer it back without recommendation.

D. J. BALL, *Chairman.*

Mr. Colvin, from the committee on Mines and Minerals, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. B's Nos. 30 and 31, have examined the same, and recommend that they be laid on the table.

Also, H. B. No. 16, and report the same back to the House without recommendation.

B. R. COLVIN, *Chairman.*

Mr. Fosher submitted the following minority report from the committee on Mines and Minerals:

Mr. Speaker: The undersigned (a minority) asks leave to report that H. B. No. 16 be favorably considered by this House, and passed without amendment.

JOHN FOSHER, *Chairman.*

On motion,
H. B. No. 18

Was taken up and considered, and

The question being on the adoption of the amendment proposed by the Council,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Henry, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—20.

Nays, Mr. Graham—1.

So the amendment was

Adopted.

Previous notice having been given,

Mr. Norris introduced

H. B. No. 49,

An act to incorporate Towns and Villages.

Without previous notice,

Mr. Henry introduced

H. B. No. 50,

An act to amend an act to incorporate the Excelsior Ditch Company, approved March 11th, 1864.

Also, H. B. No. 51,

An act to incorporate the Sangre-Christo Wagon Road Company.

Without previous notice,

Mr. Keys introduced

H. B. No. 52,

An act concerning the Territorial Librarian.

Mr. Graham, having given previous notice, introduced

H. B. No. 53,

An act regulating the Herding of Animals, and requesting farmers and ranchmen to give proper notice of Cultivated and Meadow Lands.

Without previous notice,

Mr. Fosher introduced

H. B. No. 54,

An act enabling the Judges of Courts to collect Fees.

H. B's Nos. 49, 50 and 51,

Read second time, and referred to the committee on Incorporations.

H. B's Nos. 52 and 53,

Read second time, and referred to the committee of the Whole.

H. B. No. 54,

Read second time, and referred to the committee on Judiciary.

Amendments to

H. J. R. No. 3

Were adopted,

And resolution ordered engrossed for third reading.

H. B. No. 46

Was taken up and considered.

Mr. Riddlebarger moved to lay it on the table,

And called for the ayes and nays:

Ayes, Messrs. Bergen, Bartells, Barela, Ehrhart, Fosher, Gregory, Henry, Keys, Locke, Martine, Mandragen, Norris and Speaker—13.

Nays, Messrs. Ball, Colvin, Dodge, Graham, Gardner, Grimes, Hall, Johnson, Nuckolls and Riddlebarger—10.

So the bill was laid on the table.

H. B. No. 48

Was taken up, and

The question being on the adoption of the report of the committee of the Whole, which was to indefinitely postpone,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Barela, Ehrhart, Gardner, Gregory, Hall, Johnson, Keys, Locke, Martine and Mandragen—12.

Nays, Messrs. Ball, Colvin, Dodge, Fosher, Graham, Grimes, Henry, Norris, Nuckolls, Riddlebarger and Speaker—11.

So the bill was indefinitely postponed.

Mr. Graham moved that the rules be suspended, and

C. B. No. 32

Be put on its final passage.

Carried.

And the question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Graham, Grimes, Gregory, Hall, Henry, Keys, Locke, Martine, Mandragen, Nuckolls, Riddlebarger and Speaker—19.

Nays, Messrs. Fosher, Gardner, Johnson and Norris—4.

So the bill passed, and the title agreed to.

H. B. No. 47,

Referred to the committee of the Whole.

C. B. No. 30,

Taken up, and the report of the committee of the Whole adopted, and

On motion,

The rules were suspended, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed, and the title agreed to.

The Sergeant-at-Arms announced the following Message from the Governor:

EXECUTIVE DEPARTMENT, Denver, January 27th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, which are certified to have originated in that House:

An act for the Relief of the Arkansas Valley Ditch and Irrigating Company.

An act supplementary to an act concerning Roads and Highways, approved March 11th, 1864.

An act to amend an act entitled, An act to prevent the Introduction of Animals, for the purpose of Grazing, within certain limits, approved November 6th, 1861.

An act to Legalize the March Term of the District Court, holden in Boulder county, A. D. 1865.

An act to incorporate the Hamilton and Montgomery Wagon Road Company.

Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Territory.

On motion,

The House adjourned until Monday next, at 10 o'clock, a. m.

MONDAY, JANUARY 29th, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent, Messrs. Bergen, Breath, Graham, Grimes, Gregory, Hall and Norris.

Quorum present.

Journal read and approved.

Mr. Riddlebarger presented a petition from the citizens of Huerfano county, asking for a division of the county.

Petition read, and referred to the committee on Counties and County Lines.

Also, a petition from the citizens of the town of Trinidad, in relation to incorporating the town.

Petition read, and referred to the committee on Incorporations.

Mr. Henry, from the committee on Judiciary, submitted the following report:

Mr. Speaker: Your committee, to whom was referred H. J. R. No. 5, have had the same under consideration, and respectfully report a substitute, and recommend that it pass.

J. W. HENRY, *Chairman.*

Mr. Riddlebarger, from the committee on Incorporations, submitted the following:

Mr. Speaker: Your committee have considered H. B. No. 37, a bill for an act to incorporate the South Boulder and Dry Creek Irrigating Ditch Company, and recommend that it pass without amendment.

MATT. RIDDLEBARGER, *Chairman.*

Mr. Henry, from the committee on Judiciary, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. B. No. 45, have considered the same, and report it back without recommendation.

J. W. HENRY, *Chairman.*

Mr. Locke gave notice that he would, at some future day, introduce

A bill to change section 4 of an act entitled, An act to protect and regulate the Irrigation of Lands, approved November 5th, 1861.

Mr. Keys gave notice that he would, at some future day, introduce

A bill for an act to incorporate the Aurum Prospecting, Ditch and Fluming Company.

Mr. Colvin, having given previous notice, introduced

H. B. No. 55,

An act to amend an act entitled, An act concerning Lode Claims, approved November 7th, 1861.

Read first and second times, and referred to the committee of the Whole.

C. B. No. 29

Was ordered on third reading.

C. B. No. 27.

Was taken up and considered.

Mr. Nuckolls moved that it be indefinitely postponed.

The ayes and nays were:

Ayes, Messrs. Ball, Barela, Dodge, Ehrhart, Henry, Locke, Martine, Mandragen, Nuckolls and Riddlebarger—10.

Nays, Messrs. Bartells, Colvin, Fosher, Gardner, Graham, Gregory, Johnson, Keys and Speaker—9.

So the bill was indefinitely postponed.

Mr. Ball moved that the vote be reconsidered.

Carried.

Mr. Bartells moved to adjourn.

Carried.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

The question being on

C. B. No. 27,

Mr. Barela moved a call of the House,

Which being ordered and called, there were

Absent, Messrs. Grimes, Henry, Locke and Nuckolls—4.

The Sergeant-at-Arms was despatched after absent members.

Returned, and reported all present.

On motion,

All further proceedings under the call were dispensed with.

On motion of Mr. Colvin,

C. B. No. 27

Was referred to a Special committee of five, consisting of Messrs. Hall, Henry, Colvin, Gregory and Norris.

On motion,

C. B's Nos. 34 and 35, H. B. No. 27, and H. J. R. No. 5,

Were taken up,

Reports of committees adopted, and

Referred to the committee of the Whole.

C. B. No. 31 and H. B's Nos. 14, 16 and 37

Were taken up,

Reports of committee adopted, and

Bills ordered on third reading.

On motion of Mr. Fosher,

Further proceedings with

H. B. No. 45

Were dispensed with.

On motion,

Further proceedings with

C. B. No. 36

Were dispensed with.

Mr. Nuckolls asked leave of absence for the balance of the day.

Leave granted by the House.

C. B. No. 33

Was taken up and considered.

Mr. Henry offered the following amendment:

"All acts and sections and parts of acts conflicting with the provisions of this act, be and the same are hereby repealed."

Adopted.

And the question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Breath, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed, and the title agreed to.

C. B. No. 29,

A bill for an act to provide for the Payment of the Officers and Men of the First Regiment of Colorado Mounted Militia,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Graham, Gregory, Gardner, Hall, Henry, Johnson, Keys, Martine, Mandragen, Norris, Riddlebarger, and Speaker—21.

Nays, none.

So the bill passed, and the title agreed to.

C. B. No. 31,

A bill for an act to incorporate the Cache-a-la-Poudre River Bridge Company,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Barela, Colvin, Dodge, Ehrhart, Graham, Gardner, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—20.

Nays, Mr. Ball—1.

So the bill passed, and the title agreed to.

C. B. No. 37,

A bill for an act to provide for a Military Record of the First, Second and Third Regiments of Colorado Volunteers,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Gregory, Hall, Henry, John-

son, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—21.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 14,

A bill for an act to amend section 6 of an act entitled, An act fixing the Compensation of Members of the Legislative Assembly, and other Officers of Colorado Territory,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Gregory, Hall, Henry, Johnson, Locke, Mandragen, Norris, Riddlebarger and Speaker—19.

Nays, Messrs. Graham, Keys and Martine—3.

So the bill passed, and the title agreed to.

H. B. No. 16,

An act concerning Analytical Assayers of Minerals,

Was read the third time.

Mr. Ball moved,

That the bill be postponed.

The ayes and nays being ordered, were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Graham, Gregory, Hall, Locke, Martine, Mandragen, Norris and Speaker—14.

Nays, Messrs. Bartells, Ehrhart, Fosher, Gardner, Henry, Johnson, Keys and Riddlebarger—8.

So the bill was postponed.

H. B. No. 37,

A bill for an act to incorporate the South Boulder and Dry Creek Irrigating Ditch Company,

Was read a third time, and

The question being on its third reading,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—21.

Nays, none.

Mr. Fosher was excused.

So the bill passed, and the title agreed to.

H. B. No. 41,

A bill for an act to incorporate the Coal Creek and Black Hawk Wagon Road Company,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Dodge, Ehrhart, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Riddlebarger and Speaker—19.

Nays, Messrs. Colvin, Fosher and Norris—3.

So the bill passed, and the title agreed to.

H. B. No. 42,

A bill for an act to incorporate Rocky Mountain Lodge No. 2, I. O. O. F.,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed, and the title agreed to.

H. J. R. No. 3,

A joint resolution relating to Mails on the Overland Route,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the resolution was

Adopted.

Mr. Hall, from the committee on Printing, submitted the following:

Mr. Speaker: Your committee on Printing beg leave to report that Messrs. Byers & Dailey have printed, bound, and now have ready for delivery pamphlets containing the "Reports of Territorial Officers." On comparing them, however, with the manuscript copies furnished by the Auditor and Treasurer, we find many serious typographical errors, which render these pamphlets unfit for use in this body. These errors we find to have been occasioned by the gross carelessness of the clerk to whom the manuscripts were entrusted, with orders from this House to make a copy for the use of printers.

We would therefore recommend that your committee be instructed to revise the printed reports and correct such errors,

with full powers to order a new and accurate edition published without delay.

Very Respectfully,
FRANK HALL, *Chairman.*

Report received.

Mr. Ball, from the committee on Enrollment, submitted the following:

Mr. Speaker: Your committee on Enrolled Bills have examined H. B. No. 18, and report the same correctly enrolled.

D. J. BALL, *Chairman.*

Mr. Henry, from the committee on Judiciary, submitted the following:

Mr. Speaker: Your committee, to whom was referred the petition of the citizens of Boulder county, asking for the legalizing of a School Tax collected in District No. 4, have had the same under consideration, and report the following bill and recommend its passage.

J. W. HENRY, *Chairman.*

Report received.

The Sergeant-at-Arms announced the following Message from the Council:

COUNCIL CHAMBER, January 29th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:

C. B. No. 22, a bill for an act in relation to the Drainage of Mines.

C. B. No. 38, a bill for an act concerning Criminal Jurisprudence.

H. B. No. 26, an act supplementary to an act entitled, An act to incorporate the Canon City, Grand River and San Juan Wagon Road Company, approved November 6th, 1861.

H. B. No. 28, an act making an appropriation for the Payment of the Members and Officers of the present Legislative Assembly, amended by introducing the word "year" in the title of the bill, and adding a section, 4, thereto appended.

H. B. No. 32, an act legalizing the Proceedings of the Probate Court of Huerfano county.

All of which are herewith transmitted.

Very Respectfully,
CHARLES G. COX,
Secretary of the Council.

On motion,
The House adjourned until 10 o'clock, a. m., to-morrow.

TUESDAY, JANUARY 30th, 1866.

House met pursuant to adjournment.
Speaker in the chair.
Prayer by the Chaplain.
Roll called.
Absent, Messrs. Ball and Grimes.
Quorum present.
Journal read and approved.
Mr. Bergen presented a petition from the citizens of Jefferson county, asking for a Herd Law.
Petition read, and referred to the committee on Agriculture.
Mr. Nuckolls presented a petition from the citizens of Central City, asking for a Repeal of the City Charter.
Petition read, and referred to the committee of the Whole.
Mr. Graham, from the committee on Roads and Bridges, submitted the following:

Mr. Speaker: Your committee have had H. B. No. 33 under consideration, and have instructed me to report the same back without amendment, and recommend its passage.

H. J. GRAHAM, *Chairman.*

Report received.
Mr. Riddlebarger, from the committee on Incorporations, submitted the following:

Mr. Speaker: Your committee have considered H. B. No. 50, an act to amend an act entitled, An act to incorporate the Excelsior Ditch Company, approved March 11th, 1864.
Also, H. B. No. 51, an act to incorporate the Sangre de Christo Wagon Road Company, and recommend their passage.
Also, H. B. No. 49, an act to incorporate Towns and Villages, and refer the same back to the House for reconsideration.

MATT. RIDDLEBARGER, *Chairman.*

Report received.
Mr. Ball, from the Select committee, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. B. No. 34, beg leave to submit the accompanying substitute.

D. J. BALL, *Chairman.*

Report received.

Mr. Locke gave notice that he would, at some future time, introduce

A bill to incorporate the Fremont Ditch and Irrigating Company.

Mr. Henry gave notice that, at some future time, he would introduce

A bill for an act to amend an act concerning Ejectments.

Mr. Riddlebarger gave notice that he would introduce

A bill to divide the County of Huerfano.

Previous notice having been given, Mr. Bartells introduced

H. B. No. 56,

A bill for an act to incorporate Union Lodge No. 1, I. O. O. F., of Denver.

Mr. Locke, having given previous notice, introduced

H. B. No. 57,

A bill for an act to amend an act entitled, An act to protect and regulate the Irrigation of Lands, approved March 5th, 1861.

Mr. Breath, having given previous notice, introduced

H. B. No. 58,

A bill for an act empowering the citizens of Boulder county, District No. 4, to levy an additional Tax for School purposes.

H. J. R. No. 3

Was read third time, and referred to the committee on Federal Relations.

H. B's Nos. 33 and 52,

Ordered engrossed for third reading.

H. B. No. 49,

Read second time, and referred to the committee of the Whole.

H. B. No. 56,

Read second time, and referred to the committee on Incorporations.

H. B. No. 57,

Read second time, and referred to the committee on Agriculture.

H. B. No. 58,

Read second time, and referred to the committee on Ways and Means.

H. B. No. 51,

Read second time.

Mr. Mandragen moved that it be indefinitely postponed.

Mr. Riddlebarger moved to amend by laying the bill on the table.

Motion declared out of order by the Speaker.

Mr. Colvin appealed to the House.

House sustained the Speaker in his decision.

Mr. Riddlebarger moved that the previous motion be laid on the table.

Motion lost.

The question being on indefinitely postponing,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Fosher, Martine, Mandragen, Norris and Nuckolls—9.

Nays, Messrs. Breath, Colvin, Dodge, Ehrhart, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Riddlebarger and Speaker—14.

So the motion was lost.

Mr. Graham moved that the bill be recommitted.

Mr. Fosher moved to amend by postponing until next to the last day of the session.

Mr. Henry moved that the bill with the amendments be laid on the table.

Carried.

Mr. Hall moved to reconsider.

Mr. Bartells moved to adjourn until 2 o'clock, p. m.

Motion carried, and

House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

House went into committee of the Whole on the General File.

Mr. Gregory in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee of the Whole have had under consideration C. B. No. 34, and amend the same by striking out the word "forty" in the first and second sections, and inserting the words "seventy-five" in lieu thereof.

Also, C. B's Nos. 24 and 35, and H. B's Nos. 34, 49, 15, 55, 44 and 47, and recommend that they pass without further amendment.

Also, C. B. No. 25, and amend the same by striking out the words "ten years" in the first and second sections, and inserting the words "twenty years" in lieu thereof, and recommend its passage without further amendment.

Also, a petition from the citizens of Central City, and recommend that further action on the same be dispensed with.

Also, H. J. R. No. 4, and recommend that it be laid on the table for the present.

Also, H. B. No. 27, and recommend that it do not pass.

Also, H. B. No. 52, and amend the same by inserting the letters "A. M." before the figure 7 in section 2.

All of which is respectfully submitted.

D. GREGORY, *Chairman.*

Report received and adopted.

Message from the Council:

COUNCIL CHAMBER, January 30th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has reported adversely on the passage of H. J. M. No. 2, a joint memorial to the Senate and House of Representatives of the Congress of the United States, and the same is herewith returned.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

On motion,

Mr. Nuckolls was excused until day after to-morrow.

On motion,

The House adjourned until to-morrow at 10 o'clock, a. m.

WEDNESDAY, JANUARY 31st, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent, Messrs. Graham, Grimes and Nuckolls.

Journal read, corrected and approved.

Mr. Grimes appeared and took his seat.

Mr. Colvin presented a petition from the people, in regard to School Claims on Lodes.

On motion,

The petition was partly read, and referred to the County Commissioners of Arapahoe county for favorable consideration.

Mr. Ball, from the committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following bill for his approval, to-wit:

An act to incorporate the Denver and Turkey Creek Wagon Road Company.

Respectfully submitted.

DAVID J. BALL, *Chairman.*

Report received.

Mr. Riddlebarger, from the committee on Incorporations, submitted the following:

Mr. Speaker: Your committee have considered H. B. No. 56, an act to incorporate Union Lodge No. 1, I. O. O. F., of Denver, and recommend its passage.

MATT. RIDDLEBARGER, *Chairman.*

Mr. Henry, from the committee on Judiciary, submitted the following:

Mr. Speaker: Your committee have had under consideration H. B. No. 54, and offer the accompanying substitute and recommend its passage.

J. W. HENRY, *Chairman.*

Council amendments to

H. B. No. 28

Were concurred in, and the bill ordered enrolled.

Mr. Bergen gave notice that he would, on some future day, introduce

A bill concerning Grazing Rights.

Mr. Bartells, having given previous notice, introduced

H. B. No. 60.

A bill for an act to amend an act entitled, An act concerning Probate Courts and Justices of the Peace in certain counties, approved March 11th, 1864.

Read first and second times, and referred to the committee on Judiciary.

Mr. Keys, having given previous notice, introduced

H. B. No. 59,

A bill for an act to incorporate the Pennsylvania Gold and Silver Mining Company of Colorado.

Read first and second times, and referred to the committee on Incorporations.

On motion, the substitute for

H. B. No. 54

Was referred to the committee of the Whole.

H. B. No. 56,

Ordered engrossed.

H. B. No. 52,

An act concerning the Territorial Librarian,

Was taken up and considered.

Mr. Norris moved to amend by striking out, in the first section, the words, "from 7 a. m. to 10 p. m.," and inserting in lieu thereof the words, "from 10 to 12 m., and from 1 to 10 p. m."

Amendment adopted.

Mr. Colvin moved to amend section 9, by striking out the words, "five hundred," and inserting "one thousand."

Motion lost.

Bill ordered engrossed.

C. B. No. 34,

An act for the Relief of William S. Walker, of Summit county,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Dodge, Ehrhart, Fosher, Henry, Locke, Martine, Mandragen and Speaker—12.

Nays, Messrs. Bergen, Colvin, Gardner, Gregory, Johnson and Norris—6.

So the bill passed, and the title agreed to.

C. B. No. 35,

A bill for an act for the Relief of Marshal Silverthorn,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Hall, Johnson, Locke, Martine, Mandragen, Norris and Riddlebarger—19.

Nays, Mr. Speaker—1.

So the bill passed, and the title agreed to.

C. B. No. 24,

An act to incorporate the Exploring Company of Philadelphia,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Henry, Johnson, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—20.

Nays, none.

So the bill passed, and the title agreed to.

C. B. No. 23,

An act granting the exclusive right to William Craig, to erect and maintain a Toll-Bridge across the Arkansas River,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Henry, Johnson, Locke, Martine, Mandragen, Riddlebarger and Speaker—19.

Nays, Norris—1.

So the bill passed, and the title agreed to.

H. B. No. 54

Was referred to the committee of the Whole.

H. B. No. 39,

An act to survey and locate portions of the Boundary Lines between the counties of Pueblo, Huerfano and Fremont,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Dodge, Ehrhart, Fosher, Gardner, Grimes, Hall, Henry, Johnson, Locke, Mandragen, Norris, Riddlebarger and Speaker—16.

Nays, Messrs. Bartells, Barela, Gregory and Martine—4.

So the bill passed, and the title agreed to.

H. B. No. 49,

An act to incorporate Towns and Villages,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Hall, Johnson, Locke, Martine, Mandragen and Norris—18.

Nays, Messrs. Henry and Riddlebarger—2.

So the bill passed, and the title agreed to.

Message from the Council:

COUNCIL CHAMBER, January 31st, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:

C. B. No. 41, an act regulating Proceedings in Actions of Replevin.

H. B. No. 35, an act to repeal an act entitled, An act for the Protection of Farmers against the Depredations of Stock, in the counties of Douglass and Weld, approved March 11th, 1864, and an act approved February 10th, 1865.

H. B. No. 42, an act to incorporate Rocky Mountain Lodge No. 2, I. O. O. F.

H. B. No. 22, an act to reduce the laws incorporating the City

of Denver, and the several acts amendatory thereof, into one act, and amend the same with the following amendments:

In article 3, amend section 4 thereof by inserting after the word "other," in the seventh line, the word "public;" and strike out section 5.

In article 4, amend section 1 thereof by inserting after the word "ward," in the fourth line, the words, "City Assessor, Surveyor and City Marshal, as aforesaid; and the said City Marshal shall have the same powers as County Constables; and upon filing like bond as is now required by law of Constables, may exercise such powers in all cases, both civil and criminal."

In article 5, amend section 2 thereof by striking out, in the fourth and fifth lines, the words, "City Assessor, Surveyor and City Marshal;" and add to the last word of said section the words, "also to provide by ordinance for the removal from office of the Assessor, Surveyor and City Marshal, for any omission or neglect of duty on their part, and to fill all vacancies which may occur by reason of such removal, until the next general election;" and amend section 3 by striking out the word "twenty" in the seventeenth line, and inserting in its place the word "eight."

H. B. No. 29, an act to incorporate the Middle Park and South Boulder Wagon Road Company, by striking out all of section 2, after the word "term" in the third line, and before the words "South Boulder" in the eleventh line, and insert in its place the words, "of ten years, a wagon road from a point on." Strike out all of section 6. Strike out that part of section 13 between the word "from" in the second line, and "South Boulder" in the fourteenth line; strike out that part of said section commencing with the word "and" in the twenty-sixth line, and ending with the words "South Boulder" in the thirty-second line, and all of said section after the word "the" in the thirty-fourth line, and insert instead, the words, "right to collect the following rates of toll on said road: for each vehicle drawn by two animals, one dollar; each additional two animals, twenty-five cents; horse with rider, pack animal with pack, ten cents; loose stock, five cents per head."

H. B. No. 37, an act to incorporate the South Boulder and Dry Creek Irrigating Ditch Company. Amended by striking out the word "twenty" in the second line of section 2, and inserting in its place the word "ten."

H. B. No. 39, an act to incorporate the South Boulder and Weld County Ditch Company. Amended by striking out the word "twenty" in the second line of section 2, and inserting instead thereof the word "ten."

H. B. No. 40, an act to amend an act entitled, An act to amend an act concerning Fences, approved February 9th, 1865.

Amended by adding a section giving force and effect, appended thereto.

H. B. No. 41, an act to incorporate the Coal Creek and Black Hawk Wagon Road Company. Amended by striking out all of section 2, and also the word "exclusive" in the twenty-seventh line of section 3, and the word "thirty" in the third line of section 5, and inserting the word "ten" in lieu thereof.

Also, strike out section 10.

They are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

COUNCIL CHAMBER, January 31st, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform the House that the Council has passed the following bills:

C. B. No. 48, a bill for an act supplemental to an act entitled, An act to provide for the Payment of the Officers and Men of the First Colorado Mounted Militia.

And C. J. R. No. 3, a joint resolution to adjourn.

They are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

H. B. No. 44,

An act to change and locate the Boundary Line of Fremont county,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Grimes, Gregory, Hall, Henry, Johnson, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—20.

Nays, none.

So the bill passed, and the title agreed to.

On motion,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

On motion,

Mr. Mandragen was excused until to-morrow.

H. B. No. 47,

An act to incorporate the Mining Board of Gilpin County,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Norris and Riddlebarger—17.

Nays, Mr. Ball—1.

So the bill passed, and the title agreed to.

The House then went into committee of the Whole on the General File.

Mr. Norris in the chair.

After some time spent therein, the committee rose.

On motion,

The rules were suspended, and Mr. Fosher introduced

H. B. No. 61,

An act to provide for the Payment of the First Regiment Colorado Mounted Militia.

Read first and second times, and referred to the committee on Military Affairs.

On motion,

The House adjourned until 7 o'clock, p. m.

EVENING SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Mr. Norris submitted the following

Report from the committee of the Whole:

Mr. Speaker: The committee of the Whole have had under consideration H. J. R. No. 5, and amend the same by inserting in the blank of said resolution the name of J. W. Henry, and inserting the name of Hugh Butler instead of E. T. Wells; also by inserting in the fifth line of the fourth section, after the word "duties," "not to exceed forty days;" and with these amendments recommend that it do pass.

Also, H. B. No. 54; have amended it by inserting in the sixth line of the 1st section, after the word "annually" the words, "one-fourth of;" and in the seventh line expunge "semi-annually," and insert the word "quarterly;" and with these amendments recommend its passage.

Also, H. B. No. 53, and amended it so as to exclude the counties of El Paso, Fremont, Pueblo, Huerfano, Conejos, Costilla, Douglass and Boulder from the effects of the law; and recommend that it pass without further amendment.

Also, C. B. No. 7, and recommend that further action on the same be deferred until Friday.

Also, H. B. No. 10, and recommend that it pass without amendment.

GEORGE H. NORRIS, *Chairman.*

Report received.

On motion,

Mr. Grimes was excused.

Mr. Hall, from the committee on Federal Relations, submitted the following report:

Mr. Speaker: Your committee, to whom were referred H. B. No. 58 and H. J. M. No. 3, have considered the same, and report them back to the House without approval.

FRANK HALL, *Chairman.*

Report received.

Mr. Riddlebarger, from the committee on Incorporations, submitted the following:

Mr. Speaker: Your committee have considered H. B. No. 59, an act to incorporate the Pennsylvania Gold and Silver Mining Company of Colorado, and recommend its passage without amendment.

MATT. RIDDLEBARGER, *Chairman.*

Mr. Colvin gave notice that he would to-morrow move a reconsideration of the vote by which H. B. No. 52 was passed.

C. B. No. 48

Was read second time, and referred to the committee on Military Affairs.

C. B. No. 41

Was read second time, and referred to the committee on Judiciary.

Mr. Gardner gave notice that he would to-morrow introduce

A bill for an act to incorporate the Frankstown and Giles Station Wagon Road Company.

By permission, Mr. Henry introduced

H. B. No. 62,

An act to repeal an act granting the exclusive right to J. N. Jayns and J. Garcia to erect and maintain a Ferry across the Rio Grande at Pass Puerta.

Read first and second times, and referred to the committee on Incorporations.

Previous notice having been given, Mr. Riddlebarger introduced

H. B. No. 63.

Read first and second times, and referred to the committee on Counties and County Lines.

On motion,

H. J. M. No. 3

Was referred to a Select committee, consisting of Messrs. Locke, Norris and Johnson.

On motion, the rules were suspended, and

H. B. No. 59

Was put on its final passage.

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Colvin, Fosher, Gardner, Graham, Henry, Keys, Locke, Mandragen, Norris, Riddlebarger and Speaker—14.

Nays, Messrs. Bartells, Barela, Dodge, Ehrhart, Hall, Johnson and Martine—7.

So the bill passed, and the title agreed to.

Mr. Gardner was excused.

Mr. Mandragen moved to adjourn until to-morrow, at 10 o'clock, a. m.

Motion lost.

The committee on Enrollment submitted the following:

Mr. Speaker: Your committee have examined H. B's Nos. 33 and 42, and beg leave to report the same correctly enrolled.

D. J. BALL, *Chairman.*

Report received.

Council amendments to

H. B's Nos. 29, 37, 40, 39, 41 and 22,

Were concurred in and ordered enrolled.

On motion,

The House adjourned until 10 o'clock, a. m., to-morrow.

THURSDAY, FEBRUARY 1st, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent, Messrs. Ehrhart, Fosher and Gardner.

Quorum present.

Journal read and approved.

The Sergeant-at-Arms announced the following

Message from the Council:

COUNCIL CHAMBER, February 1st, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has refused to concur in the House amendments to C. B. No. 34, an act for the Relief of W. S. Walker, of Summit county; and have concurred in the House amendments to C. B. No. 23.

Also, has passed the following bills:

H. J. M. No. 3, a joint memorial relating to Mail Contracts.

H. B. No. 14, an act to amend section 6 of an act entitled, An act fixing the Compensation of Members of the Legislative Assembly of Colorado Territory, approved February 10th, 1865. Amended by adding a section giving force and effect to the bill.

H. B. No. 38, an act concerning the Practice of the District and Probate Courts, and to provide for a Term of the Supreme Court, and for other purposes, by substitution of another bill for the same.

H. B. No. 43, an act to amend an act entitled, An act to incorporate the City of Central.

C. B. No. 42, an act to incorporate the Peruvian Gold and Silver Mining Company of Colorado, and

C. B. No. 47, an act to provide for submitting an act to incorporate the City of Black Hawk, &c., to vote.

They are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

Mr. Graham, from the committee on Agriculture, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. B. No. 57, have considered the same, and recommend that it pass without amendment.

H. J. GRAHAM, *Chairman.*

Report adopted.

On motion,

The rules were suspended, and Mr. Graham introduced

H. B. No. 64,

An act supplemental to an act approved January 24th, 1866.

On motion,

It was read first, second and third times, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Eosher, Graham, Grimes, Gregory, Hall, Henry, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—21.

Nays, Mr. Johnson—1.

So the bill passed, and the title agreed to.

Mr. Riddlebarger, from the committee on Incorporations, submitted the following:

Mr. Speaker: The committee have had under consideration H. B. No. 62, and recommend its passage.

MATT. RIDDLEBARGER, *Chairman.*

Mr. Henry, from the committee on Judiciary, submitted the following:

Mr. Speaker: Your committee, to whom was referred C. B. No. 41, have had the same under consideration, and recommend that it be laid on the table.

Also, H. B. No. 60, and recommend that it pass without amendment.

J. W. HENRY, *Chairman.*

Mr. Locke, from the Select committee, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. J. M. No. 3, have had the same under consideration, and report a substitute and recommend its passage.

WILLIAM LOCKE, *Chairman.*

Mr. Keys, from the committee on Engrossment, reported H. B's Nos. 33 and 50

As correctly engrossed.

Mr. Ball, from the committee on Enrollment, submitted the following:

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following bills for his approval, to-wit:

H. B. No. 32, an act Legalizing the Proceedings of the Probate Court of Huerfano county.

H. B. No. 26, an act supplementary to an act entitled, An act to incorporate the Canon City, Grand River and San Juan Road Company, approved November 6th, 1861.

H. B. No. 28, an act making an appropriation for the Pay-

ment of the Members and Officers of the present Legislative Assembly of the year 1866.

H. B. No. 35, an act to repeal an act entitled, An act for the Protection of Farmers against the Depredations of Stock, in the counties of Douglass and Weld, approved March 11th, 1864; and an act to amend an act entitled, An act for the Protection of Farmers against the Depredations of Stock, in the counties of Douglass and Weld, approved February 10th, 1865.

H. B. No. 42, an act to incorporate Rocky Mountain Lodge No. 2, of the Independent Order of Odd Fellows.

All of which is respectfully submitted.

DAVID J. BALL, *Chairman.*

Mr. Norris moved a reconsideration of the vote by which the Council amendments to H. B. No. 22 were concurred in.

Carried.

C. B's Nos. 42 and 47

Were read second time, and referred to the committee on Incorporations.

Previous notice having been given, Mr. Henry introduced

H. B. No. 65,

An act to amend an act concerning Ejectments.

Read first and second times, and referred to the committee of the Whole.

Previous notice having been given, Mr. Locke introduced

H. B. No. 66,

An act to incorporate the Fremont Ditch and Irrigating Company.

Read first and second times, and referred to the committee on Incorporations.

Mr. Bartells gave notice that he would introduce

A bill for an act to provide for paying the Contingent and Extra Expenses of the Territory.

On motion,

H. B. No. 36

Was taken from the table and considered.

Read, and referred to a Select committee, consisting of Messrs. Locke, Breath, Graham, Bergen and Johnson.

H. B. No. 58,

An act empowering the citizens of Boulder county, District No. 4, to levy an additional Tax for School purposes in said District,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Graham, Grimes, Gregory, Hall, Henry, Keys,

Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker —20.

Nays, Messrs. Gardner and Johnson—2.

So the bill passed, and the title agreed to.

H. B. No. 62,

An act to repeal an act granting the exclusive right to J. M. Jaynes and J. Garcia to erect and maintain a Ferry across the Rio Grande at Pass Puerta,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 10,

An act to incorporate the Trinidad Town Company,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—21.

Nays, Mr. Ball—1.

So the bill passed, and the title agreed to.

H. B. No. 60,

An act to amend an act entitled, An act concerning Probate Courts and Justices of the Peace in certain counties, approved March 11th, 1864,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 57,

An act to amend an act entitled, An act to protect and regulate the Irrigation of Lands, approved November 3d, 1861,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Gregory, Hall, Henry, Keys, Locke, Martine, Mandragen, Riddlebarger and Speaker—18.

Nays, Messrs. Johnson and Norris—2.

Excused, Messrs. Ball and Fosher—2.

So the bill passed, and the title agreed to.

H. B. No. 33,

An act to incorporate the Ni Wat and Black Hawk Wagon Road Company,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—21.

Nays, Mr. Ball—1.

So the bill passed, and the title agreed to.

H. B. No. 50,

An act to amend an act entitled, An act to incorporate the Excelsior Ditch Company, approved March 11th, 1864,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed, and the title agreed to.

H. J. M. No. 3,

A memorial to the Postmaster-General,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—22.

Nays, none.

So the memorial was adopted.

On motion,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Mr. Dodge was excused.

Mr. Gardner, having given previous notice, introduced

H. B. No. 67,

An act to incorporate the Frankstown and Giles Station Wagon Road Company.

Read first and second times, and referred to the committee on Incorporations.

Message from the Council:

COUNCIL CHAMBER, February 1st, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform the House that the Council has passed C. B. No. 40, an act to amend an act entitled, An act relating to Counties and County Officers, approved November 6th, 1861.

Also, the Council has refused to recede from its amendments to H. B. No. 22, and have appointed a committee of Conference.

They are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

H. B. No. 54,

An act enabling the Judges of the District Courts to collect Fees,

Was taken up and considered, and,

On motion,

Was referred to a Select committee, consisting of Messrs. Norris, Hall, Henry, Colvin and Bartells.

Mr. Norris moved that the committee be excused and another one appointed.

Carried,

And Speaker appointed Messrs. Graham, Ball, Gregory, Fosher and Keys.

H. B. No. 53,

An act regulating the Herding of Animals, and requiring Farmers and Ranchmen to give proper notice of Cultivated and Meadow Lands,

Was taken up and considered.

Mr. Breath moved it be indefinitely postponed.

Mr. Ball moved to adjourn until 10 o'clock, a. m., to-morrow.

Motion declared out of order by the Speaker.

Mr. Fosher appealed from the decision of the chair.

The House decided against the Speaker.

Mr. Ball's motion to adjourn was put and carried, and

House adjourned.

FRIDAY, FEBRUARY 2d, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent, Messrs. Dodge, Ehrhart, Gardner, Graham, Hall and Riddlebarger.

Quorum announced.

Journal read and approved.

On motion of Mr. Fosher,

H. B. No. 53

Was taken up, and

The question being on indefinitely postponing,

A call of the House was ordered.

Absent, Messrs. Dodge, Ehrhart, Johnson and Riddlebarger.

The Sergeant-at-Arms was dispatched after absent members.

In a short time returned, and reported Messrs. Dodge and Johnson present.

Mr. Gregory moved that all further proceedings under the call be dispensed with.

Motion lost.

The Sergeant-at-Arms announced Mr. Ehrhart present, but that Mr. Riddlebarger could not be found.

And on motion,

Further proceedings under the call were dispensed with.

The ayes and nays ordered and called then were:

Ayes, Messrs. Dodge, Gardner, Grimes, Locke and Mandragen—5.

Nays, Messrs. Bergen, Breath, Ball, Barela, Colvin, Ehrhart, Fosher, Graham, Gregory, Hall, Henry, Johnson, Keys, Martine, Norris and Speaker—16.

So the motion to indefinitely postpone was lost.

On motion of Mr. Graham,

The bill was recommitted to the committee on Agriculture.

On motion,

The absent members were excused from paying fines.

Mr. Keys, from the committee on Engrossment, reported

H. B's Nos. 52, 55 and 56, and substitute for H. B. No. 15,

As correctly engrossed.

Mr. Gardner, from the committee on Military Affairs, submitted the following:

Mr. Speaker: Your committee, to whom were referred C. B. No. 48 and H. B. No. 61, have considered the same, and recommend that they pass without amendment.

J. F. GARDNER, *Chairman.*

Mr. Locke, from the Select committee, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. B. No. 36, have had the same under consideration, and report the same back with the following amendments, viz.:

That there shall be added to section 1, "Said Fence Viewers shall be elected from different parts of the county, the same as County Commissioners."

That there shall be added to section 2, "Appeals can be had from the decisions of the Fence Viewers the same as from the decisions of Justices of the Peace."

That between sections 4 and 5 another section shall be added, to-wit: "That in cases where the party, whose stock may have committed damage, makes a tender to the party being damaged of any sum of money to compromise, then if the party being damaged shall fail to recover more than was tendered to him, he shall pay all costs of said suit."

Also, that section 5 of the original bill be changed to section 6.

And respectfully recommend its passage with the amendments.

WILLIAM LOCKE, *Chairman.*

Report received and adopted.

The Sergeant-at-Arms announced the following

Message from the Council:

COUNCIL CHAMBER, February 2d, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed H. J. M. No. 3, a joint memorial to the Hon. William Dennison, Postmaster-General of the United States,

And to forward to the House a copy of C. J. R. No. 3, said to have been lost.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

Council substitute for H. B. No. 38

Was taken up, and

On motion,

Was referred to the committee on Judiciary.

On motion,

House amendments to C. B. No. 34

Were receded from.

On motion,

H. B. No. 29

Was amended by adding an enacting clause.

Mr. Graham, from the Special committee on H. B. No. 54, submitted the following:

Mr. Speaker: Your committee to whom was referred H. B. No. 54, after considering the subject at length, have instructed me to submit the following report:

After the words "sum of," in the fifth line of the first section of the bill, strike out the words "two thousand," and insert in lieu thereof the words "fifteen hundred."

After the words "sum of," in the thirteenth line of section 2, strike out the words "one thousand," and insert the words "three hundred and seventy-five" in lieu thereof.

After the word "every," in the fourth line of section 4, strike out the word "six," and in lieu thereof insert the word "three."

With the above amendments your committee recommend that the bill be reported back to the House, and recommend that it pass without further amendment.

H. J. GRAHAM, *Chairman.*
D. J. BALL,
DAVID GREGORY,
THOMAS KEYS,
JOHN FOSHER.

Report received and adopted, and committee discharged.

Mr. Breath presented a petition from the Vestrymen of St. John's Church in the Wilderness.

Petition read, and referred to a Special committee, consisting of Messrs. Graham, Breath and Grimes.

Mr. Henry gave notice that he would, to-morrow or some subsequent day, introduce

A joint memorial to the President of the United States, asking the appointment of a citizen of Colorado Territory to the office of Judge, to fill the vacancy occasioned by the resignation of the Hon. S. S. Harding.

C. J. M. No. 3,

In relation to adjourning,

Was read second time, and referred to the committee of the Whole.

C. R. No. 40

Was read second time, and referred to the committee on Elections.

H. B. No. 68,

A bill for an act concerning Grazing Rights.

Read second time, and referred to the committee on Agriculture.

Message from the Governor:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY,
Denver, February 1st, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, certified to have originated in that body:

An act supplementary to an act entitled, An act to incorporate the Canon City, Grand River and San Juan Road Company, approved November 6th, 1861.

An act Legalizing the Proceedings of the Probate Court of Huerfano county.

An act making appropriation for the Payment of Members and Officers of the present Legislature of the year 1866.

An act to incorporate Rocky Mountain Lodge No. 2, of the Independent Order of Odd Fellows.

An act to repeal an act entitled, An act for the Protection of Farmers against the Depredation of Stock, in the counties of Douglass and Weld, approved March 11th, 1864; also an act approved Feb. 10th, 1865.

Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Ter.

H. B. No. 36,
An act concerning Fence Viewers,
Was ordered engrossed.
Mr. Breath moved,
That the House adjourn until 2 o'clock, p. m.
Carried.

AFTERNOON SESSION.

House met pursuant to adjournment.
Speaker in the chair.
Mr. Graham moved,
That H. B. No. 54,
An act enabling the Judges of Courts to collect Fees,
Be recommitted to a Select committee for further amendment.
Carried.
And Speaker appointed Messrs. Graham, Norris and Grimes.
Mr. Ball, from committee on Counties and County Lines, submitted the following:

Mr. Speaker: Your committee to whom was referred H. B. No. 63, beg leave to report the same back to the House with the accompanying petition, without recommendation.

D. J. BALL, *Chairman.*

Report received and adopted.

C. B. No. 48,

An act supplemental to an act entitled, An act to provide for the payment of the Officers and Men of the First Regiment of Colorado Mounted Militia,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—21.

Nays, none.

So the bill passed and title agreed to.

H. B. No. 61,

An act to provide for the Payment of the First Regiment of Colorado Mounted Militia,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Speaker—20.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 56,

An act to incorporate Union Lodge No. 1, of the Independent Order of Odd Fellows, of Denver,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen and Norris—20.

Nays, Mr. Speaker—1.

So the bill passed, and the title agreed to.

H. J. R. No. 5,

A resolution relating to the Codifying of the Laws,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Johnson, Keys, Locke, Martine, Mandragen and Norris—18.

Nays, Mr. Speaker—1.

Mr. Henry was excused.

So the bill passed, and the title agreed to.

Message from the Governor:

EXECUTIVE DEPARTMENT, Denver, February 1st, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bill, which is certified to have originated in that body:

An act to incorporate the Denver and Turkey Creek Wagon Road Company.

I am, Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Territory.

On motion,

H. B. No. 52,

An act concerning the Territorial Library,

Was recommitted to the committee on Education.

H. B. No. 15,

An act regulating Irrigating Ditches,

Was read third time.

Mr. Breath offered the following amendment:

"This act shall not be construed as applying to any ditch company organized under the general act of incorporation, or any special act."

Adopted.

And the bill being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Speaker—21.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 55,

An act to amend an act entitled, An act concerning Lode Claims, approved November 7th, 1861,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Speaker—21.

Nays, none.

So the bill passed, and the title agreed to.

Mr. Graham introduced the following resolution:

Resolved, That the House hereby calls the attention of the Council to the Construction Act, section 4, page 107, of the laws of the first session, of said section doing away with the necessity of a section to every bill, showing when the same shall take effect.

Adopted.

On motion,

C. B. No. 7,

A bill for an act to regulate the Fees of Clerks of the several District Courts of Colorado Territory,

Was taken up.

Mr. Norris moved that it be indefinitely postponed.

And the ayes and nays being ordered and called, they were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Gardner, Graham, Henry, Keys, Locke, Martine, Mandragen, Norris and Speaker—13.

Nays, Messrs. Colvin, Dodge, Ehrhart, Fosher, Grimes, Gregory, Hall and Johnson—8.

So the bill was indefinitely postponed.

The House now went into committee of the Whole.

Mr. Gardner in the chair.

After some time spent therein, the committee rose.

By permission, Mr. Graham introduced

H. B. No. 69,

An act to amend an act entitled, An act to incorporate St. John's Church in the Wilderness, approved November 6th, 1861.

On motion,

The House adjourned until 9 o'clock, a. m., to-morrow.

SATURDAY, February 3d, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Absent, Messrs. Fosher, Grimes, Gregory, Hall, Locke, Martine and Nuckolls.

Quorum present.

Journal read and approved.

Mr. Henry was excused for an hour.

Mr. Riddlebarger, from the committee on Incorporations, submitted the following:

Mr. Speaker: Your committee have considered H. B. No. 66, an act to incorporate the Fremont Ditch and Irrigating Company.

Also, C. B. No. 47, an act for submitting an act incorporating the City of Black Hawk to a vote.

And recommend their passage.

Also, H. B. No. 67, an act to incorporate the Frankstown and Giles Station Wagon Road Company, and recommend its passage by filling the blanks in section 3 as follows: "one dollar," "twenty-five cents," "seventy-five cents," "twenty-five cents," "five cents per head."

MATT. RIDDLEBARGER, *Chairman.*

Report received.

Mr. Gardner, from the committee of the Whole, submitted the following report:

Mr. Speaker: Your committee of the Whole have had under consideration H. B. No. 63, and recommend that the following section be added as section 5:

"That at the next general election the qualified voters of said county shall vote for or against the division of said county; if a majority shall appear in favor of such division, this act shall then be in full force and effect; if a majority of such votes shall appear against such division, then this act shall be void and of no effect."

And your committee report the bill with the amendment back to the House, and recommend it be referred to the committee on Counties and County Lines.

Also, C. J. R. No. 3, and recommend that the same be amended by striking out "Saturday, the 3d," and inserting "Friday, the 9th," instead, and recommend it pass as amended.

Also, H. B. No. 65, and recommend it pass without amendment.

J. F. GARDNER, *Chairman.*

Mr. Graham, from the Select committee, submitted the following:

Mr. Speaker: Your committee, to whom was referred H. B.

No. 54, have reported a substitute for the bill for the consideration of the House.

H. J. GRAHAM, *Chairman.*

Report received.
Substitute ordered engrossed.
H. B. No. 69,
Read second time, and
On motion,
Was read third time,
And put upon its final passage.
The ayes and nays were:
Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Johnson, Keys, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker —19.
Nays, none.
So the bill passed, and the title agreed to.
H. B. No. 63
Was referred to the committee on Counties and County Lines.
C. B. No. 47
Was referred to the committee of the Whole.
C. J. R. No. 3,
In relation to adjourning,
Was read third time, and
The question being on its final passage,
The ayes and nays were:
Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Ehrhart, Fosher, Graham, Grimes, Hall, Henry, Keys, Martine and Mandragen—14.
Nays, Messrs. Gardner, Gregory, Johnson, Locke, Norris and Speaker—6.
So the resolution was adopted.
H. B. No. 65,
An act to amend an act concerning Ejectments,
Was read third time, and
The question being on its final passage,
The ayes and nays were:
Ayes, Messrs. Breath, Barela, Colvin, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Speaker—17.
Nays, Messrs. Dodge and Ball—2.
So the bill passed, and the title agreed to.
H. B. No. 66,
An act to incorporate the Fremont Ditch and Irrigating Company,
Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Speaker—21.

Nays, none.

So the bill passed, and the title agreed to.

H. B. No. 67,

An act to incorporate the Frankstown and Giles Station Wagon Road Company,

Was read third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Ehrhart, Gardner, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Speaker—17.

Nays, Messrs. Ball and Fosher—2.

So the bill passed, and the title agreed to.

Mr. Ball, from the committee on Enrolled Bills, submitted the following:

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following correctly enrolled bills for his approval, to-wit:

H. B. No. 37, an act to incorporate the South Boulder and Dry Creek Irrigating Ditch Company.

H. B. No. 39, an act to incorporate the Boulder and Weld County Ditch Company.

H. B. No. 40, an act to amend an act entitled, An act to amend an act concerning Fences, approved February 9th, 1865.

H. B. No. 41, an act to incorporate the Coal Creek and Black Hawk Wagon Road Company.

H. B. No. 43, an act to amend an act entitled, An act to incorporate the City of Central.

H. J. R. No. 3, a joint memorial relating to Mail Contracts.

H. B. No. 14, an act to amend an act fixing the Compensation of Members of the Legislative Assembly, and other Officers of Colorado Territory.

Respectfully submitted.

D. J. BALL, *Chairman.*

Report received and adopted.

House went into committee of the Whole on the General File.

Mr. Johnson in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee of the Whole have considered C. B. No. 47, and report the same back to the House and recommend its passage.

B. F. JOHNSON, *Chairman.*

Report received and adopted.

Message from the Governor:

EXECUTIVE DEPARTMENT, COLORADO TERRITORY,
Denver, February 2d, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, which are certified to have originated in that body:

An act to amend section 6 of an act entitled, An act fixing the Compensation of Members of the Legislative Assembly, and other Officers of Colorado Territory, approved February 10th, 1865.

An act to incorporate the Boulder and Weld County Ditch Company.

An act to incorporate the South Boulder and Dry Creek Irrigating and Ditch Company.

An act to amend an act entitled, An act to amend an act concerning Fences.

An act to incorporate the Coal Creek and Black Hawk Wagon Road Company.

Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Territory.

Message from the Council:

COUNCIL CHAMBER, February 2d, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:

H. B. No. 58, an act empowering the citizens of School District No. 4, Boulder county, to levy an additional Tax for School purposes in said District.

H. B. No. 64, an act supplementary to an act approved January 24th, 1866, amended in the title by adding thereto the words, "Entitled, An act amendatory of an act entitled, An act regulating Elections, approved November 6th, 1861."

And has concurred in amendments to H. B. No. 29.

And has passed H. B. No. 10, an act to incorporate the Trinidad Town Company.

H. B. No. 33, an act to incorporate the Ni Wat and Black Hawk Wagon Road Company.

H. B. No. 50, an act to amend an act entitled, An act to incorporate the Excelsior Ditch Company, approved March 11th, 1864.

C. B. No. 44, an act supplemental to an act concerning Weights and Measures.

They are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

Mr. Norris introduced

H. J. R. No. 6,

A resolution of Inquiry.

On motion of Mr. Fosher,

The rules were suspended,

And the resolution was put upon its final passage.

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Martine, Mandragen, Norris and Speaker —21.

Nays, none.

So the resolution was adopted.

The Speaker appointed Messrs. Norris, Ehrhart and Henry as a committee on the part of the House to confer with a like committee from the Council.

On motion,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Mr. Riddlebarger, from the committee on Incorporations, submitted the following:

Mr. Speaker: Your committee have had under consideration C. B. No. 42, and refer it back to the House with the recommendation that it do pass.

MATT. RIDDLEBARGER, *Chairman.*

Report adopted, and

Bill ordered on third reading.

On motion,
H. B. No. 64
Was taken up,
Council amendments concurred in, and
Bill ordered enrolled.
C. B. No. 34,
Read second time, and referred to the committee on Territorial Affairs.
By permission, Mr. Henry introduced
H. J. M. No. —,
A memorial asking the President to appoint a citizen of this Territory as Chief Justice.
On motion,
The rules were suspended, and
The memorial was read second and third times, and
Put upon its final passage.
The ayes and nays were:
Ayes, Messrs. Bergen, Breath, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—20.
Nays, Mr. Ball—1.
So the memorial was adopted.
By permission, Mr. Colvin introduced
H. B. No. 70,
An act to incorporate the National Gold and Silver Mining Company of Colorado.
Read second time, and referred to the committee on Incorporations.
Mr. Nuckolls introduced
H. B. No. 71,
An act to incorporate the Central and Empire City Express Company.
Read second time, and referred to the committee on Incorporations.
By permission, Mr. Bergen introduced
H. B. No. 72,
An act to incorporate the St. Vrains, Left-Hand and Columbia Hill Ditch Company.
Read second time, and referred to the committee on Incorporations.
By permission, Mr. Norris introduced
H. B. No. 73,
An act to incorporate the Prospecting, Mining and Exchange Company of Colorado.
Read second time, and referred to the committee on Incorporations.

The Sergeant-at-Arms announced the following Message from the Council:

COUNCIL CHAMBER, February 3d, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:

C. B. No. 54, an act relating to Abandoned Claims.

C. B. No. 53, an act concerning Mines and Minerals.

C. J. R. No. 3, a joint resolution to attend the Funeral of L. B. McLain, M. D., on February 4th, A. D. 1866.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

On motion,

The rules were suspended, and

C. J. R. No. 3,

A joint resolution to attend the Funeral of L. B. McLain, M. D., on February 4th, A. D. 1866,

Was read third time, and

Unanimously adopted.

On motion,

C. B. No. 41

Was taken from the table, and referred to the committee on Judiciary.

By permission, Mr. Gardner introduced

H. B. No. 74,

An act to amend an act entitled, An act to establish the Common School Laws.

Read second time, and referred to the committee on Education.

C. B's Nos. 52 and 53,

Read second time, and referred to the committee of the Whole.

C. B. No. 42,

An act to incorporate the Peruvian Gold and Silver Mining Company of Colorado,

Was taken up for consideration.

Mr. Ball offered to amend, by striking out, in the eighth line of the Preamble, the word "are," and insert the words "claim to be," in lieu thereof.

Amendment adopted.

Mr. Hall moved a reconsideration of the vote by which the amendment was adopted.

Carried.

Mr. Graham moved that the amendment be laid on the table.
Carried.
The bill was read third time, and
The question being on its final passage,
The ayes and nays were:
Ayes, Messrs. Bergen, Breath, Barela, Colvin, Ehrhart, Fosher, Graham, Gregory, Hall, Henry, Johnson, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—17.
Nays, Messrs. Dodge and Gardner—2.
Mr. Ball was excused.
So the bill passed, and the title agreed to.
C. B. No. 37,
An act to provide for submitting an act to incorporate the City of Black Hawk, to vote, &c.,
Was read third time, and
The question being on its final passage,
The ayes and nays were:
Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Locke, Martine, Mandragen, Norris, Riddlebarger and Speaker—19.
Nays, none.
So the bill passed, and the title agreed to.
On motion,
The House adjourned until Monday, at 10 o'clock, a. m.

MONDAY, FEBRUARY 5th, 1866.

House met pursuant to adjournment.
Speaker in the chair.
Roll called.
Quorum present.
Journal read and approved,
Mr. Breath, from committee on Indian Affairs submitted the following report:

Mr. Speaker: Your committee to whom was referred Resolution asking compensation for horses pressed into the service of the First Colorado Mounted Militia would report, that the Legislature have no evidence before them upon which to base an appropriation for such purposes, and the parties having horses pressed into said service, should present their claims to the Adjutant General of this Territory, who will be able to assist them in obtaining their rights.
Respectfully submitted.

S. M. BREATH, *Chairman.*

Report received and adopted.

Mr. Henry, from Judiciary committee, submitted the following report:

Mr. Speaker: Your committee have had under consideration C. B. No. 41, an act regulating proceedings in Action of Replevin, and respectfully submit the accompanying substitute, and recommend its passage without amendment.

J. W. HENRY, *Chairman.*

Also,

Mr. Speaker: Your committee to whom was referred Council substitute for H. B. No. 38, an act concerning the practice in the District and Probate Courts, and to provide for a term of the Supreme Court, and for other purposes, have had the same under consideration, and respectfully report it back to the House with amendments, and recommend it pass as amended.

J. W. HENRY, *Chairman.*

Reports received and adopted.

Mr. Riddlebarger, from committee on Incorporations, submitted the following:

Mr. Speaker: Your committee have had under consideration H. B. No. 70, An act to incorporate the National Gold and Silver Mining and Prospecting Company of Colorado.

Also, H. B. No. 71, An act to incorporate the Central and Empire City Express Company, and recommend their passage.

MATT. RIDDLEBARGER, *Chairman.*

Report received and adopted.

Mr. Speaker: Your committee on Territorial Affairs to whom was referred C. B. No. 44, have had the same under consideration, and report the same back to the House with the recommendation that it pass without amendment.

Respectfully submitted.

JOHN FOSHER, *Chairman.*

Report received and adopted.

Mr. Keys, from committee on Engrossment submitted the following:

Mr. Speaker: Your committee on Engrossment beg leave to report H. B. No. 36, and substitute for H. B. No. 54, as correctly engrossed.

THOMAS KEYS, *Chairman.*

Report received and adopted.
Mr. Hall, from Select committee on
C. B. No. 27,
Submitted the following report:

Mr. Speaker: Your Select committee to whom was referred C. B. No. 27, have had the same under consideration, and respectfully report the same back to the House with the recommendation that it be indefinitely postponed.

FRANK HALL, *Chairman.*

Report received.
Mr. Hall, from committee on Federal Relations, submitted the following:

Mr. Speaker: Your committee to whom was referred C. B. No. 40, have had the same under consideration, and respectfully recommend that it pass.

FRANK HALL, *Chairman.*

Report received and adopted.
Mr. Henry, from committee on Conference on
C. B. No. 22,
Requested further time.
Granted.
Message from the Governor.

EXECUTIVE DEPARTMENT, COLORADO TERRITORY,
Denver, January 5th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:
SIR: I have the honor to inform the House of Representatives that I have approved and signed a bill entitled,
"An act to amend an act entitled, An act to incorporate the City of Central, approved March 11th, 1864.

Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Ter.

On motion,
The House concurred in Council amendments to
H. B. No. 59,
And bill ordered engrossed.
Mr. Nuckolls gave notice that he would, on to-morrow, or some subsequent day, introduce
A bill to incorporate the Bear River Wagon Road and Ferry Company.

Mr. Hall gave notice that he would introduce

A Joint Memorial to the Congress of the United States, in relation to the admission of Colorado as a State.

Mr. Gregory gave notice that he would introduce at some time,

A bill to incorporate the Platte Canon and South Park Wagon Road Company.

Mr. Hall having given previous notice, introduced

H. J. M. No. 4,

A Joint Memorial to the Congress of the United States, asking for our admission as a State.

Read second time, and referred to committee of the Whole.

By permission, Mr. Johnson introduced

H. B. No. 75,

A bill for an act amendatory of an act providing for the collection of taxes from non-resident stock owners, approved March 11, 1864.

Read second time, and referred to committee on Agriculture.

Also, H. B. No. 76,

An act authorizing the Commissioners of Weld county to select a site for the erection of a Court House for temporary use,

Read second time, and referred to committee on Judiciary.

C. B. No. 44,

An act concerning Weights and Measures,

Was read a third time, and amended in sections 1 and 2,

And the question being on its final passage as amended,

The ayes and nays were:

Ayes, Messrs. Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris and Nuckolls—18.

Nays, Messrs. Gregory, Riddlebarger and Speaker—3.

Messrs. Bartells and Hall excused.

So the bill passed and title agreed to.

H. B. No. 36,

An act concerning Fence Viewers,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Breath, Gardner, Keys, Mandragen, Riddlebarger and Speaker—7.

Nays, Messrs. Ball, Barela, Dodge, Ehrhart, Fosher, Graham, Grimes, Gregory, Hall, Henry, Johnson, Martine, Norris and Nuckolls—14.

Mr Colvin excused.

So the bill was lost.

H. B. No. 54,

An act enabling the Judges of Courts to collect Fees,

Was read a third time.

Mr. Graham offered the following amendments:

"And be it further enacted, That an Executive Clerk may be employed by the Governor of the Territory, and there is hereby appropriated five hundred dollars for the purpose of paying said Clerk, and the Auditor of the Territory is hereby instructed to draw a warrant of five hundred (500) dollars in favor of the Governor of the Territory.

The ayes and nays being called on the amendment, they were:

Ayes, Messrs. Bartells, Breath, Ball, Barela, Colvin, Ehrhart, Graham, Hall, Henry, Johnson, Martine, Nuckolls and Riddlebarger—13.

Nays, Messrs. Dodge, Fosher, Gardner, Grimes, Gregory, Keys, Mandragen, Norris and Speaker—9.

So the amendment was adopted.

Mr. Henry moved,

To adjourn until 2 o'clock, this afternoon.

Carried.

And House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

H. B. No. 54,

Was taken up, and read at length with amendments.

Mr. Henry moved

A reconsideration of the vote by which the amendment was adopted.

Motion lost.

The bill being ordered on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Ball, Colvin, Dodge, Ehrhart, Graham, Hall, Henry, Johnson, Nuckolls and Riddlebarger—11.

Nays, Messrs. Bergen, Breath, Barela, Fosher, Gardner, Gregory, Keys, Locke, Martine, Mandragen, Norris and Speaker—12.

So the bill was lost.

Message from the Council.

COUNCIL CHAMBER, January 3d, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has concurred in House amendments to C. J. R. No. 3,

A resolution to adjourn, &c., and has passed the following bills:

C. B. No. 17,

An act to amend an act entitled, An act to define County Boundaries and County Seats, approved Nov. 1st, 1861.

H. B. No. 34,

An act to survey and locate a portion of the boundary lines between the counties of Pueblo, Huerfano and Fremont.

H. B. No. 44,

An act to change and locate the boundary lines of Fremont county.

H. B. No. 57,

An act to amend an act entitled, An act to protect and regulate the irrigation of lands, approved Nov. 5th, 1861.

H. B. No. 59,

An act to incorporate the Pennsylvania Gold and Silver Mining Company of Colorado.

Amended by striking out the word "Exclusive," in section 2.

C. J. R. No. 4,

A joint resolution to provide for payments of freights and charges upon weights and measures.

They are herewith transmitted.

Respectfully submitted,

CHARLES G. COX,

Secretary of the Council.

H. B. No. 70,

An act to incorporate the National Gold and Silver Mining Company of Colorado,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—22.

Nays, none.

So the bill passed and title agreed to.

H. B. No. 71,

An act to incorporate the Central and Empire City Express Company,

Was read a third time, and

Passed unanimously, and the title agreed to.

C. B. No. 40,

An act to amend an act relating to Counties and County Officers, approved Nov. 6th, 1861,

Was read at length.

Mr. Locke moved,

To amend, by striking out the word "seven," and inserting the word "five," instead.

Mr. Henry moved,

To lay the amendment on the table.

Motion lost.

The question being on Mr. Locke's amendment,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Ball, Barela, Colvin, Fosher, Gardner, Locke, Martine, Mandragen and Norris—11.

Nays, Messrs. Breath, Dodge, Ehrhart, Graham, Gregory, Hall, Henry, Johnson, Keys, Nuckolls and Speaker—11.

So the motion was lost,

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Nuckolls and Speaker—15.

Nays, Messrs. Bartells, Barela, Fosher, Locke, Martine, Mandragen and Norris—7.

House now went into committee of the Whole on the General File. Mr. Breath in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: Your committee of the Whole have considered C. B. No. 52, concerning Lode Claims.

Also, C. B. No. 41, an act regulating Proceedings in Replevin, and recommend that they pass.

Also, H. J. M. No. 4, a Memorial to the Congress of the United States, in regard to admission as a State, and recommend that it be made the special order for Wednesday, for 2 o'clock.

Respectfully submitted.

S. M. BREATH, *Chairman.*

Report received and adopted.

On motion,

Mr. Fosher was excused.

Mr. Colvin moved,

That when we do adjourn, we adjourn to meet at 7 o'c ock, this evening, for the purpose of considering C. B. No. 53.

Carried.

Mr. Riddlebarger moved to adjourn.

Lost.

Mr. Hall introduced,

H. B. No. 77, an act making an appropriation for the fiscal year ending January 1st, 1867.

Read second time, and referred to committee of the Whole.

On motion of Mr. Colvin,

The House adjourned until 7 o'clock, p. m.

EVENING SESSION.

House met at 7 o'clock, pursuant to adjournment.

Speaker in the chair.

House went into committee of the Whole for the consideration of C. B. No. 53.

Mr. Henry in the chair.

After some time spent therein, the committee rose and reported as follows:

Mr. Speaker: The committee of the Whole House have had under consideration C. B. No. 53, an act entitled An act concerning Mines and Minerals, and have instructed me to report the same back to the House, by amending section 9, by inserting a substitute for the same, and by adding section 21, and with the amendments recommend that it pass.

J. W. HENRY, *Chairman.*

Report received.

Mr. Fosher moved, to adjourn.

Motion lost.

Mr. Hall moved,

That the appropriation bill No. 77, be made the special order of the day, for to-morrow morning, at 10 o'clock, a. m.

Carried.

On motion,

The House adjourned until 10 o'clock, a. m. to-morrow.

TUESDAY, FEBRUARY 6th, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Prayer by the Chaplain.

Roll called.

Absent, Messrs. Bartells, Barela, Fosher and Martine.

Quorum present.

Journal read and approved.

On motion,

The House went into committee of the Whole, for the consideration of H. B. No. 77. After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee of the Whole have had under

consideration H. B. No. 77, and have amended the same, by adding to section 1, as follows: That the sum of three hundred and twenty-eight dollars and twenty-eight cents, be appropriated to pay freight and charges, upon Scales and Weights, ordered and shipped as Territorial Goods; Also, by striking out sections 2 and 3, and recommend the passage of the bill as amended.

FRANK HALL, *Chairman.*

Report adopted, and
Bill ordered engrossed as amended.
Message from the Council:

COUNCIL CHAMBER, February 6th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am instructed to inform your Honorable Body that the Council has indefinitely postponed the following bills:

H. B. No. 15, an act regulating Irrigating Ditches.

H. B. No. 66, an act to amend an act, entitled An act concerning Probate Courts and Justices of the Peace in certain Counties, approved March 11th, 1864.

And have passed C. B. No. 56, an act to amend an act, concerning Licenses.

They are herewith transmitted.

Very Respectfully,
CHARLES G. COX,
Secretary of the Council.

Mr. Keys, from committee on Education, submitted the following report:

Mr. Speaker: Your committee to whom was referred H. B. No. 72, entitled an act to amend an act, entitled An act to establish the Common School System, have had the same under consideration, and recommend its passage, with the following amendments: Add to the title "approved Nov. 7th, 1861;" and in section 1, between the word "system" and "be," in the third line, insert "approved Nov. 7th, 1861."

THOMAS KEYS, *Chairman.*

Report received.

Mr. Ball, from committee on Enrolled Bills submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following correctly enrolled bills for his approval, to-wit:

H. B. No. 34, an act to survey and locate a portion of the Boundary Lines between the Counties of Pueblo, Huerfano and Fremont.

H. B. No. 44, an act to change and locate the Boundary Line of Fremont County.

H. B. No. 57, an act to amend an act, entitled An act to Protect and Regulate the Irrigating of Lands, approved Nov. 5, 1861.

H. B. No. 59, an act to incorporate the Pennsylvania Gold and Silver Mining Company of Colorado.

Respectfully submitted.

D. J. BALL, *Chairman.*

Report adopted.

Mr. Bergen, from the Committee on Agriculture submitted the following:

Mr. Speaker: Your committee on Agriculture have had before them H. B. No. 68, a bill for an act concerning Grazing Rights, and recommend that it do pass without amendment.

Respectfully submitted.

T. C. BERGEN, *Chairman.*

Report adopted.

Mr. Riddlebarger, from the committee on Incorporations, submitted the following report:

Mr. Speaker: Your committee have considered H. B. No. 72 and 73, and recommend their passage.

MATT. RIDDLEBARGER, *Chairman.*

Report received and adopted.

Minority report on C. B. No. 27:

Mr. Speaker: The undersigned, a minority of the Select Committee, to whom was referred C. B. No. 27, an act to provide for the Registration of Voters, have had the same under consideration and would respectfully recommend its passage without amendment.

DAVID GREGORY,
B. R. COLVIN.

Mr. Henry, from Special Committee submitted the following:

Mr. Speaker: Your Special Committee appointed to confer with a like committee from the Council, to consider the proposed Council amendments to House Bill No. 22, have had the same under consideration, and report the same back to the House with a recommendation that the House do not concur in

the amendments, so far as they refer to expunging section 5 of article 1st of said act. Your committee would recommend that the House do concur in all other amendments proposed by the Council to said bill.

All of which is respectfully submitted.

J. W. HENRY, *Chairman.*

Report received.

Mr. Ball, from committee on Enrollment, submitted the following:

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following correctly Enrolled Bills, for his approval:

H. B. No. 29, an act to incorporate the Middle Park and South Boulder Wagon Road Company.

H. B. No. 33, an act to Incorporate the Ni Wot and Black Hawk Wagon Road Company.

H. B. No. 10, an act to incorporate the Trinidad Town Company.

H. B. No. 50, an act to amend an act, entitled An act to incorporate the Excelsior Ditch Company, approved March 11, 1864.

H. B. No. 58, an act empowering the citizens of School District No. 4, Boulder County, to levy an additional tax for School purposes in said District.

H. J. M. No. 3, a Joint Memorial to the Hon. Wm. Dennison, P. M. General of the United States.

Respectfully submitted.

D. J. BALL, *Chairman.*

On motion,

The House refused to recede from its amendments to C. B. No. 44.

Mr. Graham moved,

That the House insist on its amendments to C. B. No. 44.

Carried.

C. B. No. —, read second time, and referred to committee on Counties and County lines.

C. B's Nos. 45 and 50, read second time, and referred to committee on Judiciary.

C. B. No. 55, read second time, and referred to committee of the Whole.

C. J. M. No. 2 read second time and referred to committee on Federal Relations.

By permission, Mr. Colvin introduced

H. B. No. 78,

A bill for an act to reinstate James Curran in all the rights

of a citizen of Colorado Territory, and the privilege of the elective franchise.

Also, H. B. No. 79,

An act to amend an act entitled An act to apportion the Territory of Colorado into Council and Representative Districts, approved August 15th, 1862.

Mr. Gregory, having given previous notice, introduced

H. B. No. 80,

A bill to incorporate the Platte Canon and South Park Wagon Road Company.

Also, H. B. No. 81,

An act amendatory of an act entitled An act concerning Lost Goods and Estrays.

Mr. Nuckolls, having given previous notice, introduced

H. B. No. 82,

An act to incorporate the Bear River Wagon Road and Ferry Line.

H. B's Nos. 78 and 79,

Read second time, and referred to committee on Elections and Apportionments.

H. B's Nos. 80 and 82,

Read second time, and referred to committee on Incorporations.

H. B. No. 81,

Read second time, and referred to committee on Agriculture.

On motion,

The House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker in the chair.

C. B. No. 53,

Taken up and considered.

Amendments offered by the committee were adopted.

Mr. Fosher moved the following amendment:

That any person who shall knowingly jump any claim or claims, after such discovery shall have been made in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than $200, nor more than $1,000, and shall not be allowed to possess, improve, or dispose of any such claim or claims.

Mr. Norris moved to lay the amendment on the table.

Motion lost.

Question being on the amendment, it was lost.

Mr. Breath offered to amend as follows:

That the said sum of four dollars allowed the County Clerk, shall be considered full compensation for recording the discovery claim, and the claims set apart for the School and the Miners' Relief and Poor Fund.

The question now being on its final passage as amended,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Fosher, Graham, Grimes, Gregory, Hall, Henry, Johnson, Locke, Martine, Mandragen, Norris, Nuckolls, and Speaker —20.

Nays, Messrs. Ehrhart and Keys—2.

Mr. Gardner excused.

So the bill passed and the title agreed to.

Message from the Governor.

EXECUTIVE DEPARTMENT, Colorado Territory,
Denver, February 6th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, certified to have originated in that body:

An act to incorporate the Trinidad Town Company.

An act to incorporate the Middle Park and South Boulder Wagon Road Company.

An act to incorporate the Pennsylvania Gold and Silver Mining Company of Colorado.

A Memorial to the Hon. William Dennison, P. M. General.

An act to incorporate the Ni Wot and Black Hawk Wagon Road Company.

An act to change and locate the Boundary Lines of Fremont County.

An act to empower the citizens of School District No. 4, in Boulder County, to levy an additional tax for School purposes in said District.

An act to amend an act entitled An act to incorporate the Excelsior Ditch Company, approved March 11th, 1864.

An act to Survey and Locate portions of the Boundary Lines between the counties of Pueblo, Huerfano, and Fremont.

An act to amend an act entitled An act to Protect and Regulate the Irrigation of Lands, approved Nov. 5th, 1861.

Very Respectfully,

ALEXANDER CUMMINGS,
Governor of Colorado Territory.

H. B. No. 73,
Referred to committee of the Whole.

By permission Mr. Norris introduced

H. B. No. 83,

An act to amend an act entitled An act relating to Notaries Public, approved March 4th, 1861.

Read second time, and referred to committee of the Whole.

C. B. No. 52,

An act concerning Abandoned Claims,

Was read a third time and passed unanimously.

C. B. No. 41,

An act regulating proceedings in Actions of Replevin,

Was read a third time, and passed unanimously.

H. B. No. 68,

An act concerning Grazing Rights,

Was read a third time.

Mr. Bartells moved that the bill be referred to a select committee.

Carried.

And Speaker appointed as such committee, Messrs. Ehrhart, Norris, Grimes, Bergen and Gregory.

Mr. Ball offered the following resolution:

Resolved, That the committee on Printing be instructed to have printed for the use of members of this Legislature, one hundred copies of the following bills, to wit: C. B. No. 53, an act concerning Mines and Minerals; and C. B. No. 5, an act for the benefit of Public Schools: provided, always, that the Council does concur in the amendments made by the House to said C. B. No. 53.

Adopted.

Mr. Fosher moved a reconsideration of the vote by which H. B. No. 54 was lost.

The ayes and nays being ordered and called, were:

Ayes, Messrs. Bartells, Ball, Colvin, Dodge, Fosher, Graham, Grimes, Hall, Henry, Johnson, Nuckolls, and Riddlebarger—12.

Nays, Messrs. Bergen, Breath, Barela, Ehrhart, Gardner, Gregory, Keys, Locke, Martine, Mandragen, Norris and Speaker—12.

Motion lost.

On motion,

The House adjourned until to-morrow at 10 o'clock.

WEDNESDAY, FEBRUARY 7th, 1866.

House met at 10 o'clock, a. m., pursuant to adjournment.

Speaker in the chair.
Prayer by the Chaplain.
Roll called.
Absent, Messrs. Fosher and Gregory.
Quorum present.
Journal read and approved.

Mr. Graham, from committee on Agriculture submitted the following report:

Mr. Speaker: Your committee on Roads and Highways and Bridges, to whom was referred C. B. No. 55, after considering the same at length, report the same back to the House without amendment, and recommend that it do pass.

Also, H. B. No. 81, and recommend the following amendments:

In section 5th, at the end of the 4th line, insert "in which he shall register all descriptions of animals returned to him, the name of the person taking up the same, the time, appraisers' value, costs, with the appraisers' names;" and strike out in the ninth line, the words "keep a book for the same," and insert in lieu thereof, after the word "shall" the words "enter the same in a book kept for the purpose, called an entry book, and it will be"; and with the above amendments, recommend that the bill do pass.

H. J. GRAHAM, *Chairman.*

Report received and adopted.
And bill ordered engrossed with the amendments.

Mr. Keys, from committee on Engrossment, submitted the following report:

Mr. Speaker: Your committee on Engrossment beg leave to report H. B. No. 77 as correctly engrossed.

THOMAS KEYS, *Chairman.*

Mr. Ball, from committee on Counties and County Lines, submitted the following report:

Mr. Speaker: Your committee to whom was referred C. B. No. 17, have examined the same, and beg leave to report the same back to the House with the recommendation that it do pass.

D. J. BALL, *Chairman.*

Report adopted.

Mr. Hall, from committee on Federal Relations, submitted the following:

Mr. Speaker: Your committee to whom was referred C. J. M. No. 2, have had the same under consideration, and respectfully recommend its passage.

FRANK HALL, *Chairman.*

Adopted.

Message from the Council.

COUNCIL CHAMBER, February 6th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has indefinitely postponed H. B. No. 49, an act to incorporate Towns and Villages.

H. B. No. 61, an act to provide for the payment of the First Colorado Mounted Militia.

And has passed C. B. No. 49, An act to apportion the Territory of Colorado.

They are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

On motion,

The House concurred in Council amendments to H. B. No. 22, except the striking out of section 5 in article 1.

And the bill was sent to Council with the request that they would recede from that amendment.

C. B. No. 49,

Read second time, and referred to committee on Territorial Affairs.

C. B. No. 50 read second time and referred to committee of the Whole.

Mr. Henry moved, that

H. J. R. No. 4 be taken up and referred to committee on Printing, with instructions to ascertain what the probable costs of 500 or 1000 copies of the laws of 1864, '65, and '66, in the Spanish language, would amount to.

Carried.

Mr. Johnson introduced

H. B. No. 84,

An act to submit the Herd Law of Weld County to a vote of the people.

Read second time, and referred to committee of the Whole.

C. B. No. 17,

Was read a third time.

Mr. Norris moved that the bill be referred to Mr. Ehrhart, as a special committee on correction.

C. J. M. No. 2,

A Memorial to the Congress of the United States,

Was read a third time, and passed unanimously,

And title agreed to.

H. B. No. 72,

An act to incorporate the St. Vrains, Left-Hand, and Columbia Ditch Company,

Was read a third time.

Mr. Graham moved to adjourn.

Motion withdrawn.

Mr. Hall, from committee on Printing,

Submitted the following report:

Mr. Speaker: Your committee have made an estimate of the cost, or approximate cost of printing the laws in English, and would report that for 500 copies, the cost would be $3,000; and for 1,000 copies, would be $4,500. Printing the same in Spanish would cost about 25 per cent. more.

Respectfully submitted,

FRANK HALL, *Chairman.*

Report received.

Mr. Fosher renewed his motion to adjourn,

And called for the ayes and nays.

Ayes, Messrs. Ehrhart, Fosher, Graham, Henry, Johnson, Locke, Martine, Mandragen, Nuckolls and Riddlebarger—10.

Nays, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Gardner, Grimes, Gregory, Hall, Keys, Norris and Speaker—14.

So the motion was lost.

On motion,

The bill was read at length.

Mr Johnson moved to adjourn.

Motion lost.

Mr. Graham moved,

To lay the bill on the table.

Motion lost.

Mr. Locke moved to adjourn.

Motion lost.

Mr. Breath called for the ayes and nays on the final passage.

Carried.

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Grimes, Gregory, Hall, Keys, Mandragen, Norris, Riddlebarger and Speaker—15.

Nays, Messrs. Ehrhart, Fosher, Graham, Johnson, and Martine—5.

Excused, Messrs. Gardner, Henry, Locke and Nucholls—4.
So the Bill passed and title agreed to.
Mr. Bartells moved to adjourn,
Motion lost.
Mr. Riddlebarger moved,
That the House take a recess until 2 o'clock, p. m.

2 O'CLOCK, P. M.

Time of recess having expired, the House was called to order by the Speaker.
H. J. M. No. 4,
A Joint Memorial to the Congress of the United States, asking for the admission of Colorado as a State,
Having been made the special order of the day, for 2 o'clock, was taken up and considered.
Mr. Breath moved the Memorial be put on its final passage.
Call of the House ordered.
Roll called.
Absent, Messrs. Bartells and Fosher.
Sergeant-at-Arms despatched after absent
Returned in a short time and reported Messrs. Fosher and Bartells present.
On motion,
Further proceedings under the case were dispensed with.
Message from the Council.

COUNCIL CHAMBER, February 7th, 1866.

To the Honorable the Speaker of the House of Representatives:
SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:
C. B. No. 51,
An act providing for an extra compensation of the Gilpin county Assessors for A. D. 1865.
C. B. No. 54,
An act to incorporate the Rocky Mountain Pioneer Friction Engine and Endless Railway Company.
H. B. No. 65,
An act to amend An act concerning Ejectments.
H. B. No. 66,
An act to incorporate the Fremont Ditch and Irrigating Company.
H. B. No. 67,
An act to incorporate the Frankstown and Giles Station Wagon Road Company.
H. B. No. 70,

An act to incorporate the National Gold and Silver Mining and Prospecting Company. And

H. B. No. 71,

An act to incorporate the Central and Empire City Express Company, has been indefinitely postponed.

They are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

Message from the Governor.

EXECUTIVE DEPARTMENT, COLORADO TERRITORY,
Denver, February 7th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to transmit herewith one hundred copies of a special message of His Excellency, the President of the United States to Congress, dated Dec. 11th, 1865, concerning the Universal Exposition to be held at Paris, in the year 1867, forwarded by the Honorable the Secretary of State for the use of the Legislative Assembly.

Some two months ago I made a request to Mr. Derby, agent in New York, to have space allotted for the Exposition of Colorado products. I have no doubt it will be available for any citizen who desires, to forward specimens.

Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Ter.

Mr. Fosher offered a substitute for
H. J. M. No. 4.
Mr. Henry offered a substitute for the substitute.
Mr. Ball moved,
That Mr. Henry's substitute be indefinitely postponed.
Mr. Norris called for the previous question,
And being sustained by two others,
The question was then on the substitute of Mr. Henry.
The ayes and nays were:

Ayes, Messrs. Barela, Henry, Locke, Martine, Mandragen and Riddlebarger—6.

Nays, Messrs. Bergen, Bartells, Breath, Ball, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Johnson, Keys, Norris, Nuckolls and Speaker—18.

So the substitute was lost.

Mr. Hall accepted Mr. Fosher's substitute.

The question now being on the final passage of the Memorial as substituted by Mr. Fosher,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Colvin, Dodge, Fosher, Gardner, Graham, Gregory, Hall, Johnson, Keys, Norris, Nuckolls and Speaker—16.

Nays, Messrs. Barela, Ehrhart, Grimes, Henry, Locke, Martine, Mandragen and Riddlebarger—8.

So the Memorial was adopted.

Mr. Hall moved,

That the House now take up

H. B. No. 77,

An act making an appropriation for the fiscal year ending January 1st, 1867.

Carried.

Mr. Bartells moved,

To strike out "four and one half," and insert "four," in lieu thereof, in section 3.

Amendments adopted.

Mr. Nuckolls moved,

That section 4 be stricken out.

Carried.

Mr. Nuckolls offered an additional section.

Adopted.

On motion,

The bill was considered, engrossed, and put on its final passage.

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Speaker—23.

Nays, none.

So the bill passed and title agreed to

On motion,

C. B. No. 38,

Was referred to committee of the Whole House.

Mr. Stearns moved,

That the House do now adjourn to meet at 7 o'clock, this evening, to go into committee of the Whole on the General File.

Carried.

And House adjourned.

EVENING SESSION.

House met pursuant to adjournment.

Speaker in the chair.

Mr. Henry moved,

That the chairman of the Territorial Committee be instructed at once on the Apportionment Bill.

Carried.

Call of the House ordered, and called.

There were absent:

Messrs. Graham, Barela, Martine, Mandragen, Burnart, Martells, Locke, Hall and Johnson.

Sergeant-at-Arms despatched after absent members.

In a short time returned and reported all present except Messrs. Johnson and Gregory.

On motion,

Further proceedings under the call were dispensed with.

Mr. Nuckolls moved,

The previous question.

Mr Breath moved,

To amend by saying 2 o'clock, to-morrow.

Mr. Ball moved,

To amend by saying 10 o'clock, to-morrow

Both amendments lost.

Mr. Fosher moved,

That both Council and House bills be brought before the House.

Call of the House ordered.

Absent, Messrs. Gregory and Johnson.

Sergeant-at-Arms despatched after absentees.

Returned in a short time and announced Messrs. Gregory and Johnson present.

On motion,

Further proceedings under the call were dispensed with.

Question now being on instructing committee on Territorial Affairs to report forthwith,

Carried.

On motion,

The House went into committee of the Whole.

Mr. Riddlebarger in the chair.

Committee arose.

Mr. Ball moved,

That C. B. No. 49,

Be made the special order of thi

Mr. Norris moved,

To amend by saying H. B. No. 79.

Motion lost.

Question now being on Mr. Ball's motion,

Mr. Norris moved,

To postpone until 2 o'clock, to-morrow.

Motion lost.

Mr. Ehrhart moved,

To adjourn until to-morrow, at 10 o'clock, a. m

Motion lost.

Mr. Ball amended his motion by saying C. B. No. 49,

Be made the special order for this evening,

Mr. Graham moved,

To adjourn until 10 o'clock, to-morrow.

Motion lost.

The question now recurrring on Mr. Ball's motion,

It was put and carried.

Mr. Hall moved,

To adjourn until 20 minutes before 10 o'clock.

Motion withdrawn.

Mr. Bartells moved,

To adjourn until 10 o'clock to-morrow.

Motion lost.

Mr. Fosher, from committee on Territorial Affairs, submitted the following report:

Mr. Speaker: Your committee have considered C. B. No. 49, and beg leave to report the same back to the House without recommendation.

JOHN FOSHER, *Chairman.*

Report received.

Mr. Hall moved,

That the House go into committee of the Whole, for the consideration of C. B. No. 49.

Mr. Graham moved,

To adjourn.

Motion lost.

Question recurring on Mr. Hall's motion,

Mr. Graham moved,

A call of the House.

Which being had, there were found absent, Mr. Bartells.

Sergeant-at-Arms ordered to find him.

Returned and reported that Mr. Bartells could not be found.

Mr. Hall moved,

That further proceedings under the call be dispensed with.

Chair decided that further proceedings could not be dispensed with.

Mr. Ball appealed from decision.

Speaker decided that appeal could not be entertained.

Mr. Graham moved to adjourn.

Motion lost.

Sergeant-at-Arms despatched again after Mr. Bartells.

Mr. Fosher moved to adjourn.
Motion lost.
Sergeant-at-Arms announced Mr. Bartells.
Mr. Nuckolls moved,
That Mr. Bartells be fined two dollars.
Motion lost.
Mr. Graham moved to adjourn.
Motion lost.
Mr. Graham moved,
The rules be suspended, and we take up
C. B. No. 49 for consideration.
Mr. Riddlebarger moved,
That the motion be laid on the table.
Carried.
Mr. Fosher moved to adjourn.
Motion lost.
On motion,
The House went into committee of the Whole.
Mr. Norris in the chair.

After some time spent therein, the committee arose and reported that they had had a very lucid discussion on C. B. No. 49, had not made much progress, and asked leave to sit again.

Mr. Henry moved,

That C. B. No. 49, be made the special order of the day, for 10 o'clock, to-morrow.

Carried.
On motion,
The House adjourned until 10 o'clock to-morrow.

THURSDAY, FEBRUARY 8th, 1866.

House met at 10 o'clock A. M., pursuant to adjournment.
Speaker in the chair.
Roll called.
Absent—Messrs. Grimes and Gregory—2.
Journal read and approved.
On motion,
The rules were suspended, and
C. B. No. 56,
An act to amend An act concerning Licenses
Was read a third time, and
The question being upon its final passage,
The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Bartells, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Hall, Henry,

Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Riddlebarger—22.

Nays, none.

So the bill passed and title agreed to.

C. B. No. 55,

An act to incorporate the South Platte River and Bridge Company,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Fosher, Gardner, Graham, Grimes, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls and Riddlebarger—21.

Nays, Mr. Ehrhart—1.

So the bill passed and title agreed to.

Mr. Hall moved

That we now go into committee of the Whole for the consideration of

C. B. No. 49.

Mr. Bartells moved a call of the House.

Carried.

Absent—Mr. Gregory.

Sergeant-at-Arms dispatched after him.

Returned, and

Reported that Mr. Gregory's family was sick and that he could not leave.

On motion,

Further proceedings under the call were dispensed with.

On motion,

Mr. Gregory was excused.

The question now being on Mr. Hall's motion to go into Committee of the Whole,

Motion carried, and

House went into Committee of the Whole,

Mr. Norris in the chair.

After some time spent therein, the committee rose and submitted the following report:

Mr. Speaker: The committee have had C. B. No. 49 under consideration, and report a substitute and recommend its passage.

GEORGE W. NORRIS, *Chairman.*

Mr. Graham moved that the rules be suspended and the substitute be put on its final passage.

Carried.

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Colvin, Dodge, Ehrhart, Gardner, Graham, Grimes, Gregory, Hall, Johnson, Norris, Nuckolls and Speaker—16.

Nays, Messrs. Barela, Fosher, Henry, Keys, Locke, Martine, Mandragen and Riddlebarger—8.

So the bill passed and title agreed to.

Mr. Graham moved a reconsideration of the vote by which C. B. No. 49 was passed.

Motion lost.

Mr. Ball, from committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following correctly enrolled bills for his approval, to wit: H. J. M. No. 4, "a Joint Memorial asking the President to appoint a citizen of this Territory as Chief Justice."

H. B. No. 55, an act to amend an act entitled An act concerning Lode Claims, approved November 7th, 1861.

H. B. No. 56, an act to incorporate Union Lodge No. 1, of the Independent Order of Odd Fellows of Denver.

H. B. No. 62, an act to repeal An act granting the exclusive right to Joseph M. Jaynes and Joseph V. Garcia, to maintain a Ferry across the Rio Grande, at Paso-del-Puerto.

H. B. No. 69, an act to amend an act entitled An act to incorporate St. John's Church in the Wilderness, approved November 6th, 1861.

H. B. No. 65, an act to amend An act concerning Ejectments.

H. B. No. 66, an act to incorporate the Fremont Ditch and Irrigating Company.

H. B. No. 67, an act to incorporate the Frankstown and Giles Station Wagon Road Company.

H. B. No. 70, an act to incorporate the National Gold and Silver Mining and Prospecting Company.

Respectfully submitted,

D. J. BALL, *Chairman.*

Committee on Counties and County Lines submitted the following:

Mr. Speaker: Your committee to whom was referred H. B. No. 63, have examined said bill and beg leave to report the same back to the House with the recommendation that it do pass with the accompanying addition to section three, of said bill.

D. J. BALL, *Chairman.*

Report adopted.

On motion,

The rules were suspended and the General File was taken up and considered.

H. B. No. 73,

An act to incorporate the Prospecting, Mining and Exchange Company of Colorado,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Barela, Ehrhart, Graham, Gregory, Henry, Johnson, Keys, Locke, Norris, Riddlebarger and Speaker—14.

Nays, Messrs. Dodge, Fosher, Grimes, Martine, Mandragen and Nuckolls—6.

So the bill passed and title agreed to.

C. B. No. 51, an act providing for an extra compensation of the Gilpin County Assessor for the year A. D. 1865,

Was read a third time, and

The question being on its final passage

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Mandragen, Norris, Nuckolls and Speaker—19.

Nays, Messrs. Barela and Martine.

So the bill passed and title agreed to.

Speaker called Mr. Graham to the Chair.

On motion,

Mr. Stearns was excused until evening.

Message from the Council.

COUNCIL CHAMBER, February 7th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:

C. B. No. 57, an act to amend An act to Establish the Common School System.

C. B. No. 59, an act to provide for a Census of Colorado Territory.

C. B. No. 60, an act to change the time of the meeting of the Legislature of Colorado Territory.

They are herewith transmitted.

CHARLES G. COX,
Secretary of the Council.

C. B. No. 27, an act to provide for the registration of voters, was taken up and read a third time.

Mr. Hall moved to indefinitely postpone.

Mr. Gregory moved to lay the bill on the table.

Carried.

Council substitute for H. B. No. 38, an act concerning practice in the District and Probate Courts, and to provide for a term of the Supreme Court, and other purposes, was taken up and read a third time.

Amendments proposed by Judiciary Committee were adopted, and bill considered, engrossed, and being on its final passage, it was passed unanimously.

H. B. No. 63, an act to create the county of Los Animos and locate the boundaries thereof, was read a third time and passed unanimously.

C. J. R. No. 4, a resolution to provide for the payment of Freights and Charges upon Weights and Measures, was read a third time and passed unanimously.

H. B. No. 74, an act to amend an act entitled An act to establish the Common School Law was read a third time, and the question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Gregory, Henry, Locke, Martine, Mandragen and Norris—16.

Nays, Messrs. Ball, Grimes, Hall, Johnson and Nuckolls—5.

So the bill passed and title agreed to.

H. B. No. 83, an act to amend an act entitled An act relative to Notaries Public, approved October 24th, 1861.

On motion,

The bill was laid on the table.

By permission of the House,

Mr. Graham introduced

H. B. No. 85, an act to Repeal certain acts therein named.

On motion,

The bill was indefinitely postponed.

On motion,

The House adjourned until 7 o'clock this evening.

EVENING SESSION.

House met at 7 o'clock p. m., pursuant to adjournment.

Speaker in the chair.

C. B. No. 38, Criminal Jurisprudence, was taken up and referred to a committee of three, with instructions to report at 9 o'clock, to-morrow—Messrs. Graham, Henry and Norris.

Mr. Mandragen moved to adjourn.

Motion lost.

Mr. Riddlebarger, from committee on Incorporations, submitted the following report:

Mr. Speaker: Your committee on Incorporations have considered H. B. No. 80, also, H. B. No. 82, and recommend their passage without amendment.

MATT RIDDLEBARGER, *Chairman.*

Report adopted, and bills ordered on third reading.

Mr. Ehrhart, the Special committee of one, to whom was referred C. B. No. 17, submitted the following report:

Mr. Speaker: The Select committee to whom was referred C. B. No. 17, entitled an act to amend an act entitled An act to define the County Boundaries and locate County Seats in Colorado Territory, approved November 1st, 1861, have examined the same, and recommend its passage with the following amendments:

In section one strike out all after the word "point," in the fourth line, and insert "due south of a point three miles east of the mouth of the South Arkansas river, thence north, through said point to the southern boundary of Park County;" and that section ten, of the same act, be amended by striking out all between the words "to," in the fourth line, and "thence," in the fifth line, and inserting in lieu thereof "the north-east corner of Lake County;" and between the words "south" and "to," in the sixth line, "along the eastern boundary of said county."

J. G. EHRHART.

Report adopted, and bill ordered engrossed for third reading.

Mr. Hall, from committee on Federal Relations, submitted the following report:

Mr. Speaker: Your committee to whom was referred H. J. R. No. 4, have had the same under consideration, and respectfully report the same back to the House with the recommendation that it do not pass.

FRANK HALL, *Chairman.*

Report adopted.

Mr. Keys, from committee on Education, submitted the following report:

Mr. Speaker: Your committee to whom was referred H. B. No. 52, an act concerning the Territorial Library, have had the

same under consideration, and beg leave to report a substitute therefor, and recommend its passage.

THOMAS KEYS, *Chairman.*

Report adopted.

C. B. No. 60, an act for changing the time of meeting of the Legislature,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Barela, Colvin, Ehrhart, Gardner, Graham, Gregory, Johnson, Keys, Martine, Mandragen, Nuckolls, Riddlebarger and Speaker—15.

Nays, Messrs. Ball, Dodge, Fosher, Grimes, Hall, Henry and Norris—7.

So the bill passed and title agreed to.

Message from the Governor.

EXECUTIVE DEPARTMENT, COLORADO TERRITORY,
Denver, February 8th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, certified to have originated in that Body:

An act to amend an act entitled An act to Incorporate St. John's Church in the Wilderness, approved Nov. 6th, 1861.

An act to Incorporate Union Lodge No. 1, of the Independent Order of Odd Fellows of Denver.

Joint Memorial asking the President of the United States to appoint a citizen of this Territory as Chief Justice.

An act to amend an act entitled An act concerning Lode Claims, approved Nov. 7th, 1861.

An act to repeal An act granting the exclusive right to Joseph M. Jaynes and Joseph V. Garcia to maintain a Ferry across the Rio Grande, at Paso-del-Puerto, approved Nov. 6th, 1861.

Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Ter.

C. B. No. 59, an act to provide for a census of Colorado Territory,

Was read a third time, and

The question being on its final passage,

It was passed unanimously.

On motion,

Mr. Hall and Ball were excused for the evening.

C. B. No. 17, an act to amend an act entitled An act to define County Boundaries and locate County Seats in Colorado Territory, approved Nov. 1st, 1861,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bartells, Breath, Ehrhart, Graham, Norris and Speaker—6.

Nays, Messrs. Bergen, Barela, Colvin, Dodge, Grimes, Gregory, Johnson, Locke, Martine and Mandragen—10.

Excused, Fosher, Gardner and Nuckolls.

So the bill was lost.

C. B. No. 37 was taken up, and

On motion,

Was referred to a Special committee, consisting of Messrs. Fosher, Grimes and Bartells, with instructions to report at 12 o'clock to-morrow.

C. B. No. 22,

An act relating to the Drainage of Mines,

Was read a third time, and referred to Special committee, consisting of Messrs. Dodge, Norris and Nuckolls.

C. B. No. 54,

An act to incorporate the Rocky Mountain Pioneer Friction Engine and Endless Chain Railway Company,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Colvin, Dodge, Fosher, Gardner, Graham, Grimes, Johnson, Locke, Nuckolls and Speaker—12.

Nays, Messrs. Bartells, Barela, Ehrhart, Gregory, Martine, Mandragen and Norris—7.

So the bill passed and title agreed to.

H. B. No. 84,

An act to submit the Herd Law of Weld County to a vote of the people,

Was read a third time and passed unanimously

H. B. No. 81,

An act amendatory to an act entitled An act concerning Lost Goods and Estrays,

Was read a third time and passed unanimously.

H. B. No. 52,

An act concerning the Territorial Library,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Barela, Colvin, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Johnson, Locke, Martine, Mandragen, Norris, Nuckolls and Speaker—18.

Nays, Mr. Dodge.

On motion,

The House adjourned until 10 o'clock to-morrow.

FRIDAY, FEBRUARY 9th, 1866.

House met pursuant to adjournment.

Speaker in the chair.

Roll called.

Prayer by the Chaplain.

On motion,

The reading of the Journal was dispensed with.

Special committee submitted the following report:

Mr. Speaker: The Special committee to whom was referred C. B. No. 38, an act relating to Criminal Jurisprudence, beg leave to report the same back to the House, and recommend its passage with the following amendments, by adding to section 227: *Provided*, That nothing in this section shall be so construed as to effect any indictment or suit now pending and undetermined in any court of this Territory, and which was found or instituted under the provisions of the act hereby repealed; but all such indictments or suits shall be prosecuted to final judgment under the provisions of the act hereby repealed.

H. J. GRAHAM,
GEO. H. NORRIS.
Committee.

Report adopted.

Mr. Colvin, by permission, introduced

H. J. M. No. 5,

A Joint Memorial to the Congress of the United States concerning the Pacific Railway.

Mr. Henry, by permission, introduced

H. J. R. No. 7,

A resolution in regard to the printing of the laws.

On motion,

The rules were suspended, and

H. J. M. No. 5,

Was read second and third time and put on its final passage.

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Bartells, Barela, Colvin,

Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Nuckolls and Riddlebarger—22.

Nays, Messrs. Norris and Speaker—2.

So the Memorial passed and title agreed to.

On motion,

The rules were suspended, and

C. B. No. 38,

An act concerning Criminal Jurisprudence,

Was read a third time by its title.

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Ehrhart, Gardner, Graham, Gregory, Hall, Keys, Mandragen, Norris and Speaker—13.

Nays, Messrs. Barela, Colvin, Dodge, Grimes, Henry, Locke, Martine, Nuckolls and Riddlebarger—9.

So the bill passed and title agreed to.

On motion,

The rules were suspended, and

H. J. R. No. 7,

A resolution relative to the Printing of the Laws,

Was put on its final passage.

The ayes and nays were:

Ayes, Messrs. Ball, Barela, Colvin, Ehrhart, Gardner, Graham, Grimes, Hall, Henry, Johnson, Locke, Martine, Mandragen, Nuckolls and Riddlebarger—15.

Nays, Messrs. Bergen, Breath, Gregory, Keys and Norris—5.

Speaker excused.

So the resolution was adopted.

On motion,

The rules were suspended, and

The General File taken up.

H. B. No. 82,

An act to incorporate the Bear River Wagon Road and Ferry Company,

Was read a third time, and

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Barela, Dodge, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Johnson, Keys, Locke, Martine, Mandragen, Norris, Nuckolls, Riddlebarger and Speaker—19.

Nays, Messrs. Bartells, Breath, Ball, Colvin and Ehrhart—5.

So the bill passed and title agreed to.

C. B. No. 50,

An act creating a lien in favor of Mechanics, in certain cases,

Was read the third time and passed unanimously.

H. B. No. 80,

An act to incorporate the Platte Canon and South Park Wagon Road Company,

Was read a third time, and

Passed unanimously and title agreed to.

C. B. No. 45,

An act to amend An act prescribing rules and regulations for executing the trust arising under the act of Congress in regard to Town Lots on United States Land, approved March 11th, 1864,

Was read a third time, and

Passed unanimously.

On motion,

The House adjourned until 3 o'clock, p. m.

AFTERNOON SESSION.

House met at 3 o'clock, pursuant to adjournment.

Speaker in the chair.

Message from the Council.

COUNCIL CHAMBER, February 8th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform the House that the Council has passed

H. J. M. No. 4,

A Joint Memorial to the Congress of the United States, for the admission of Colorado, with amendments as thereto attached.

H. B. No. 72,

An act to incorporate the St. Vrains, Left-Hand, and Columbia Hill Ditch Company, without amendment.

C. B. No. 61,

An act authorizing the publication of the laws of the Territory, in the Spanish language.

C. B. No. 58,

An act to incorporate the National Exploring and Mining Company of Colorado.

Also, C. J. R. No. 6,

A resolution to print 500 copies of the Governor's Message.

They are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

COUNCIL CHAMBER, February 9th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body, that the Council has refused to concur in House amendments to Council Substitute for,

H. B. No. 28,

And appointed a committee of Conference.

And has passed

H. B. No. 73,

An act to incorporate the Prospecting, Mining, and Exchange Company of Colorado, amended in section 3, and amendments thereto attached.

It is herewith transmitted.

Respectfully,

CHARLES G. COX,

Secretary of the Council.

COUNCIL CHAMBER, February 9th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has receded from its amendments to

H. B. No. 22,

An act to reduce the law incorporating the city of Denver, etc., and to amend the same by striking out section 5.

And has passed House Substitute to

C. B. No. 49,

An act to apportion the Territory of Colorado into Council and Representative districts, amended, and the amendments attached thereto.

They are herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

COUNCIL CHAMBER, February 9th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed the following bills:

C. B. No. 62,

An act to amend an act entitled, An act to provide for the collection of the Revenue, approved Nov. 7th, 1861.

C. B. No. 63,

An act to provide for holding a term of the Supreme Court

of Colorado Territory—to assign districts to the Judge of the Territory.

And has concurred in House amendments to

C. B. No. 50,

An act creating a lien in favor of Mechanics in certain cases.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

Speaker appointed Messrs. Norris, Nuckolls and Hall as a Special committee of Conference on

H. B. No. 28.

On motion,

The House went into committee of the Whole, for the consideration of

C. B. No. 63.

After some time spent therein, the committee arose and submitted the following report:

Mr. Speaker: The committee of the Whole have had C. B. No. 63 under consideration, and would report the same back to the House with the recommendation that it do pass.

C. NUCKOLLS, *Chairman.*

On motion,

The Enrolling Clerk was instructed to employ as many Clerks as he deemed necessary to complete the business.

C. B. No. 63,

Was read a third time, and

Being on its final passage, it was passed unanimously.

H. B. No. 75,

An act amendatory of an act providing for the collection of tax from non-resident stock owners, approved March 11th, 1864, was taken up for consideration.

Mr. Ball moved,

That it be indefinitely postponed.

Motion lost.

Mr. Johnson moved,

That it be laid on the table.

Carried.

On motion,

Council amendments to

H. B. No. 73,

Were concurred in.

Special committee to whom was referred

C. B. No. 57,

Submitted the following:

Mr. Speaker: Your Special committee, to whom was referred C. B. No. 57, have had the same under consideration, and recommend the following substitute for section 1st: "Strike out section 6th, and insert the following sections, respectively, 6th, 7th, 8th; also change section 7th of said bill, to section 9th. With the above amendments, your committee recommend that the bill do pass.

Respectfully submitted.

JOHN FOSHER, *Chairman.*

Report received and adopted,

And bill ordered on third reading and final passage.

The ayes and nays were:

Ayes, Messrs. Bergen, Bartells, Breath, Ball, Barela, Colvin, Dodge, Ehrhart, Fosher, Gardner, Graham, Grimes, Gregory, Hall, Henry, Keys, Locke and Mandragen—18.

Nays, Messrs. Johnson, Martine, Norris, Nuckolls, Riddlebarger and Speaker—6.

So the bill passed and title agreed to.

Mr. Barela moved,

That the rules be suspended, and House Substitute to C. B. No. 49

Be taken up and considered.

Mr. Bartells moved,

That the motion be laid on the table.

Motion lost.

The question now being on the suspension of the rules,

Motion lost.

Mr. Bartells moved that the rules be suspended, and C. B. No. 62 be taken up.

Motion lost.

Mr. Colvin moved that the rules be suspended, and C. B. No. 62, taken up.

Motion lost.

Mr. Johnson moved,

That the bar be closed, and members not allowed to go outside of the bar.

Call of the House ordered and had.

Absent, Mr. Keys.

Sergeant-at-Arms sent after Mr. Keys.

Message from the Governor.

EXECUTIVE DEPARTMENT, Colorado Territory,
Denver, February 9th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representa-

tives that I have approved and signed the following bills, certified to have originated in that body:

An act to amend An act concerning Ejectments.

An act to incorporate the Fremont Ditch and Irrigating Company.

An act to incorporate the Frankstown and Giles Station Wagon Road Company.

Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor Colorado Ter.

On motion,

The House adjourned until 7 o'clock, p. m.

EVENING SESSION.

House met at 7 o'clock, p. m., pursuant to adjournment.

Speaker in the chair.

Mr. Ball moved,

That the rules be suspended, and C. B. No. 58 be put on its final passage.

Carried.

The question being on its final passage,

The ayes and nays were:

Ayes, Messrs. Bergen, Breath, Ball, Colvin, Dodge, Ehrhart, Fosher, Graham, Grimes, Henry, Johnson, Keys, Norris, Riddlebarger and Speaker—15.

Nays, none.

So the bill was passed and title agreed to.

On motion,

C. J. R. No. 6,

Was put on its final passage.

Call of the House ordered, and had.

There were absent, Messrs. Martine and Bartells.

Sergeant-at-Arms despatched after absentees.

In a short time returned and announced all present.

On motion,

Further proceedings under the call were dispensed with.

Mr. Riddlebarger moved,

That the Clerk be instructed to procure from the Council a certified copy of

C. B. No. 49.

Motion lost.

Mr. Graham moved,

That the rules be suspended, and C. B. No. 62 be taken up.

Motion lost.

On motion,

The Journal of yesterday was read and approved.

Mr. Ball, from committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills, have presented to His Excellency the following correctly enrolled bill, for his approval, to-wit:

H. B. No. 73, An act to incorporate the Prospecting, Mining, and Exchange Company, of Colorado.

Respectfully submitted.

DAVID J. BALL, *Chairman.*

On motion,

The House took a recess of 20 minutes.

Time of recess having expired,

The Speaker resumed the chair.

Mr. Nuckolls moved,

That the Clerk be instructed to procure a certified copy of H. substitute for C. B. No. 29.

Carried.

And Clerk sent a message to the Council to that effect.

On motion,

The rules were suspended, and

H. B. No. 77

Was taken up and Council amendments were concurred in.

On motion,

H. J. M. No. 4, was taken up.

Call of the House ordered and had.

There were absent, none.

Mr. Ball, from committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills, have presented to His Excellency, the Governor, the following correctly enrolled bill, for his approval, to wit:

H. B. No. 72, An act to incorporate the St. Vrains, Left-Hand and Columbia Hill Ditch Company.

Respectfully submitted.

D. J. BALL, *Chairman.*

Question now being on the suspension of the rules for the passage of H. J. M. No. 4,

A Joint Memorial to the Congress of the United States, in regard to the admission of Colorado as a State,

The motion was lost.

Mr. Nuckolls moved,

That the Clerk proceed to the Council, and procure a certified copy of House Substitute for C. B. No. 49.

Motion lost.

Mr. Colvin moved,

That a committee of three be appointed to procure a certified copy of C. B. No. 49.

Carried.

And Speaker appointed as such committee, Messrs. Grimes, Barela and Johnson.

By permission, Mr. Graham introduced the following resolution:

Resolved, By the House of Representatives of the Territory of Colorado, that the thanks of this Body be tendered His Excellency, Alexander Cummings, Governor of the Territory, for the uniform courtesy and kindly bearing on his part toward the Legislative Assembly, and for the earnestness with which he has labored for the welfare of our young community, in the wise suggestions as to needed legislation.

Resolved further, That the Secretary of the House furnish His Excellency with a copy of this resolution.

Adopted.

And a co— of the resolution was sent to His Excellency, the Governor.

On motion,

The House took a recess until 10 o'clock.

Time of recess having expired,

The Speaker resumed the chair.

Report of Enrolling Committee:

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following correctly enrolled bills for his approval, to-wit:

H. B. No. 84, and H. B. No. 77.

Respectfully submitted.

D. J. BALL, *Chairman.*

By permission, Mr. Graham introduced the following resolution:

Resolved, That there be a committee of three appointed to inform the Council that the House has finished its labors, and wish to know at what hour it is the pleasure of the Council to adjourn, *sine die.*

Adopted.

And Speaker appointed Messrs. Graham, Ehrhart and Breath as such committee.

Mr Graham offered the following resolution:

Resolved, That there be a committee of two appointed to wait upon His Excellency, the Governor, and ask if he has any further communications to make to the Legislative Assembly, in view that the time draws near for adjournment, *sine die*.

Adopted.

And Speaker appointed as such committee, Messrs. Norris and Grimes.

Mr. Hall introduced the following resolution:

Resolved, That in the person of our Honorable Speaker, Dr. E. N. Stearns, we recognize the perfect embodiment of all those principles which elevate the mind and ennoble the character: and believing that his uniform kindness and affability has contributed largely to the harmony which has prevailed throughout the present session, we, the members of the Legislative Assembly of Colorado Territory, return to him our sincere thanks and heartfelt wishes for his future prosperity.

Unanimously adopted.

Mr. Hall offered the following resolutions:

Resolved, That our worthy Chief Clerk, C. J. McDevitt, Esq., is entitled to the highest consideration for the very able manner in which he has discharged the arduous labors of his office.

Resolved, further, That to the Assistant Clerk, Joseph T. Boyd, our earnest thanks are hereby tendered, together with our esteem, individually and collectively.

Resolutions unanimously adopted.

The committee appointed to wait on the Council, relative to adjourning, reported that they had discharged the duties imposed upon them, and that the Council would adiourn at 12 o'clock, p. m.

Report received, and committee discharged.

Mr. Hall offered the following resolutions:

Resolved, That to our special artist and Sergeant-at-Arms, we give admiration for his talents, and esteem for his many good qualities.

Resolved, further, That to our Fireman and Messenger we feel indebted for more than we have time at this late hour to enumerate.

Resolved, That these resolutions be spread upon the Journal of this House.

Adopted.

Mr Ball, from committee on Enrollment, submitted the following report:

Mr. Speaker: Your committee on Enrolled Bills, have presented to His Excellency, the Governor, the following correctly enrolled bills for his approval, to-wit:

H. J. M. No. 5, H. B. No. 52, H. B. No. 74.

Respectfully submitted.

D. J. BALL, *Chairman.*

Messages from the Council.

COUNCIL CHAMBER, February 9th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has passed

H. B. No. 77,

An act relating to appropriations for the fiscal year ending January 1st, A. D. 1867, amended by striking out sections 2 and 3.

The bill is herewith transmitted.

CHARLES G. COX,
Secretary of the Council.

COUNCIL CHAMBER, February 9th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform your Honorable Body that the Council has indefinitely postponed

H. B. No. 81,

An act amendatory to an act concerning Lost Goods and Estrays.

And has passed House Bills Nos. 52, 63, 74, 84, and H. J. M. No. 5.

I also transmit herewith, H. J. M. No. 4,

A Joint Memorial to the Congress of the United States, for the admission of Colorado.

Very Respectfully,
Your Obedient Servant,
CHARLES G. COX,
Secretary of the Council.

On motion, the House took a recess of half an hour.

The time of recess having expired,

The Speaker resumed the chair.

Mr. Ball from committee on Enrollment, submitted the following:

Mr. Speaker: Your committee on Enrolled Bills, have presented to His Excellency, the Governor, the following correctly enrolled bills for his approval, to-wit:

H. B. No. 63, and also H. B. No. 22, an act to reduce the law incorporating the City of Denver, and the several acts amendatory thereof, into one act, and to amend the same

Respectfully submitted.

D. J. BALL, *Chairman.*

Mr. Norris, from Special committee, submitted the following report:

Mr. Speaker: Your Special Committee of Conference on H. B. No. 38, beg leave to report that we recommend that the House recede from its amendments, proposed by the House.

GEO. H. NORRIS, *Chairman.*

Report received.

Message from the Governor.

EXECUTIVE DEPARTMENT, COLORADO TERRITORY,
Denver, February 9th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bills, certified to have originated in that body:

An act to incorporate the St. Vrains, Left-Hand and Columbia Hill Ditch Company.

An act to incorporate the Prospecting, Mining, and Exchange Company of Colorado.

An act to submit to the legal voters of Weld county, an act entitled, An act for the protection of farmers against the depredations of stock, in the counties of Douglass and Weld, approved March 11th, 1864.

An act relating to Appropriations for the fiscal year ending January 1st, A. D. 1867.

Joint Memorial to the Congress of the United States.

An act to establish the County of Los Animos, and locate the boundaries thereof.

An act to amend an act entitled, An act to establish a Territorial Library, and Cabinet, approved Nov. 6th, 1861.

Also, an act to amend an act to repeal the above act.

Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Ter.

Mr. Henry submitted the following resolution:

Resolved, By the House of Representatives of the Territory of Colorado, that the thanks of the House are hereby tendered to the citizens of Golden and Denver Cities, for their kindness and courtesy, extended to the members thereof, during the present session.

Resolved, further, That a copy of this resolution be spread upon the Journal of this House.

Adopted.

Message from the Governor.

EXECUTIVE DEPARTMENT, COLORADO TERRITORY,
Denver, February 9th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bill:

An act to reduce the law incorporating the City of Denver, and the several acts amendatory thereof into one act and to amend the same.

Very Respectfully,
Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Ter.

Mr. Hall submitted the following resolution:

A resolution of thanks to the Honorable Wm. H. Gale, Associate Justice of the United States, for the Territory of Colorado.

That in behalf of the people we represent, we, the members of the House of Representatives of Colorado Territory, hereby tender to the Hon. W. H. Gale, our cordial and unqualified approbation of his acts, performed during the brief term of his Judicial Administration, upon the Supreme Bench of this Territory.

Resolved, 2nd. That this resolution be spread upon the records, and a copy presented to the Hon. W. H. Gale.

Adopted.

Mr. Henry submitted the following resolution:

Resolved, That a vote of thanks be extended to Kellogg's Band for their kindness in furnishing music for our entertainment this evening.

Adopted.

Mr Fosher submitted the following resolution:

Resolved, That the thanks of this House are hereby tendered to the Hon. Sam. H. Elbert, Secretary of this Territory, and Hon. E. M. Ashley, Assistant Secretary, for their uniform kindness and gentlemanly deportment to members of this House, during the present session.

Adopted.

Message from the Council.

COUNCIL CHAMBER, February 9th, 1866.

To the Honorable the Speaker of the House of Representatives:

SIR: I am directed to inform the House that the Council has adopted C. J. R. No. 7.

It is herewith transmitted.

Very Respectfully,

CHARLES G. COX,

Secretary of the Council.

Message from the Governor.

EXECUTIVE DEPARTMENT, Colorado Territory,
Denver, February 9th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following Joint Resolution, certified to have originated in that body:

Joint Resolution authorizing the Governor to have all laws, etc., passed by the Legislative Assembly, for the year 1866, published.

Your Obedient Servant,

ALEXANDER CUMMINGS,

Governor of Colorado Ter.

Report from committee on Enrolled Bills:

Mr. Speaker: Your committee on Enrolled Bills have presented to His Excellency, the Governor, the following bill for his approval, to-wit:

H. B. No. 70, an act to incorporate the National Gold and Silver Mining Company.

Respectfully submitted

DAVID J. BALL, *Chairman.*

Message from the Governor.

EXECUTIVE DEPARTMENT, Colorado Territory,
Denver, February 9th, 1866.

Hon. E. N. Stearns, Speaker of the House of Representatives:

SIR: I have the honor to inform the House of Representatives that I have approved and signed the following bill, certified to have originated in that body:

An act to incorporate the National Gold and Silver Mining Company of Colorado.

Your Obedient Servant,
ALEXANDER CUMMINGS,
Governor of Colorado Ter.

Mr. Norris, from Special committee appointed to wait upon the Governor, submitted the following report:

Mr. Speaker: Your committee, appointed to call upon His Excellency, the Governor, asking if he desires to make any further communications to this House, beg leave to report that they are informed by His Excellency, the Governor, that he has no further communications to make to this House.

He returns his congratulations to the House, for the manner they have performed their duties—as he thinks, for the welfare of the people, and he wishes them a prosperous journey to their homes.

GEO. H. NORRIS, *Chairman.*

The Committee appointed to wait on the Council, reported that the Council had already adjourned.

On motion of Mr. Henry,

The House adjourned, *sine die.*

C. J. McDEVITT,
Chief Clerk of the House.